

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1192062-2

Total Deleted Page(s) = 2
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Director, FBI

SAC, New York

JUDITH COPLON;
VALENTINE ALEKSEEVICH GUBITCHEV, Was.;
ESPIONAGE -- R

There are being enclosed with this letter eight copies of the report of SA T. SCOTT MILLER, dated August 18, 1949, in connection with the captioned matter.

The New York Office is placing two copies each of the enclosed report in the COPLON and GUBITCHEV files. The Bureau and the Washington Field should do likewise.

TSM
L. H.

Enc. 8

cc: Washington Field (Enc. 4)
NY 65-14932

TSM:lk
65-14932

65-14932-552

65-14932-553

See serial 65-14932-555 - Serials identical

~~MR. SCHEIDT~~
~~MR. BELMONT~~
~~MR. WHELAN~~
~~MR. COLLIER~~
~~MR. GRANVILLE~~
~~MR. [illegible]~~
~~MR. [illegible]~~
~~MR. T. ABBY~~
~~MR. [illegible] SAULT~~
~~MR. [illegible]~~
~~NIGHT SUPERVISOR~~
~~MR. [illegible]~~
~~MR. [illegible]~~
~~MR. [illegible]~~
~~CHIEF CLERK~~
~~PROPERTY CLERK~~
~~TRAINING UNIT~~

MEMO

65-14932-554
F. B. I.
AUG 16 1949
N. Y. C.
ROUTED TO
Ruehle
FILE

Federal Bureau of Investigation
United States Department of Justice

New York, New York

August 16, 1949

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HERTZ
MR. LUGG
MR. MURPHY
MR. NEASE
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WHELAN
MR. WILSON
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

Reference is made to the writer's memorandum of this morning reflecting a call from ARCHIBALD PALMER.

This afternoon, the information contained in that memorandum was furnished to Inspector Leo Laughlin of the Bureau with the additional information that we had made a check of the records of the Clerk of the Southern District of New York, which records failed to reveal any information other than the fact that a \$20,000 check had been deposited for subject's bail. There was no information in the clerk's records concerning the check. I told Mr. Laughlin that we could, if the Bureau desired, check the bank account of the clerk's office on notice to them, if they desired the matter pursued that far, but that I doubted whether we should go that far at this time. He agreed with me and stated he would advise Whearty of PALMER's call regarding BERTRAM COPLON's attitude, and that he would tell Whearty we would make no further attempt to interview BERTRAM COPLON. He stated we should continue our investigation regarding this phase of the matter along the regular lines. He suggested that we check the appropriate bank account at Albany if it had not already been done.

A. J. TUOHY
Supervisor

AJT:CTC
65-14932

65-14932-555
F. B. I.
AUG 16 1949
N.Y. C.
ROUTED TO FILE

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

August 17, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

This morning, an individual who identified himself as LEO REA, a correspondent for a group of Italian newspapers and other Italian periodicals, called to advise that he is presently writing a story on the trial of JUDITH COPLON. He said that during the trial he read where the Government introduced into evidence a chart or diagram which depicted the various maneuvers engaged in by the subject with GUBITCHEV. He would like to have a copy of the chart, if possible, for use in connection with his story.

I informed him that I regretted we would be unable to supply him with a copy of the chart. I suggested that he contact the Department of Justice for an answer. He asked if he should call Mr. Kelly and I informed him he could call Mr. Kelly or Ray hearty.

A. J. TUOHY
Supervisor

AJT:CTC
65-14932

65-14932-556
F. B. I.
AUG 17 1949
N. Y. C.
ROUTED TO FILE

MR. SCHEIDT
MR. BELMONT
MR. WITELAN
MR. COLEMAN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. Egan
MR. Gurnea
MR. Harbo
MR. Hendon
MR. Jones
MR. Quinn
MR. Nease
MR. Pennington
MR. Tamm
MR. Trotter
MR. W.C. Sullivan
MR. Tele. Room
MR. Holloman
Miss Gandy

Federal Bureau of Investigation
United States Department of Justice

New York, New York

August 17, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

Reference is made to my memorandum of yesterday, reflecting a call from ARCHIBALD PALMER.

Mr. PALMER again called me today to ask if I had any news for him and I told him that as far as we are concerned, the situation as of yesterday remained unchanged unless BERTRAM COPLON had altered his attitude. He said that COPLON had not. He asked if we were going to send someone over to interview BERTRAM COPLON. I told him that as of the moment we had no intention of calling to see BERTRAM COPLON. He inquired as to whether I had spoken personally with Ray Whearty about the matter and I told him that I had not but felt that Whearty had been made aware of COPLON's attitude as indicated upon his call to me yesterday. He said he thought he would call Whearty. I told him that we certainly had no objection to that.

A. J. TUOHY
Supervisor

AJT:CTC
65-14932

MR. SCHEIDT	
MR. BELMONT	
MR. WHITMAN	
MR. COPLON	
MR. TOLSON	
MR. LADD	
MR. CLEGG	
MR. GLAVIN	
MR. HARBO	
MR. MOHR	
MR. ROSEN	
MR. TRACY	
MR. WHEARTY	
MR. WOOD	
MR. ZIEGLER	
MR. ALLEN	
MR. BROWN	
MR. GIBSON	
MR. HENRY	
MR. JONES	
MR. KANE	
MR. LEE	
MR. MURPHY	
MR. NICHOLS	
MR. ROY	
MR. TERRY	
MR. WATSON	
MR. WEAVER	
MR. WYATT	
MR. YOUNG	
MR. ZIMMERMAN	
MR. COOK	
MR. GARDNER	
MR. GILBERT	
MR. HARRIS	
MR. HILL	
MR. JAMES	
MR. KELLEY	
MR. KIRK	
MR. LAMAR	
MR. LINTZ	
MR. LONG	
MR. LORAN	
MR. LUCAS	
MR. LYONS	
MR. MANN	
MR. MARSH	
MR. MCNEIL	
MR. MILLER	
MR. MORAN	
MR. MURPHY	
MR. NICHOLS	
MR. ROY	
MR. TERRY	
MR. WATSON	
MR. WEAVER	
MR. WYATT	
MR. YOUNG	
MR. ZIMMERMAN	
MR. COOK	
MR. GARDNER	
MR. GILBERT	
MR. HARRIS	
MR. HILL	
MR. JAMES	
MR. KELLEY	
MR. KIRK	
MR. LAMAR	
MR. LINTZ	
MR. LONG	
MR. LORAN	
MR. LUCAS	
MR. LYONS	
MR. MANN	
MR. MARSH	
MR. MCNEIL	
MR. MILLER	
MR. MORAN	
MR. MURPHY	
MR. NICHOLS	
MR. ROY	
MR. TERRY	
MR. WATSON	
MR. WEAVER	
MR. WYATT	
MR. YOUNG	
MR. ZIMMERMAN	

65-14932-557

F. B. I.

AUG 17 1949

N. Y. C.

ROUTED TO FILE

HS Miller



Federal Bureau of Investigation
United States Department of Justice

New York 7, N. Y.
August 29, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

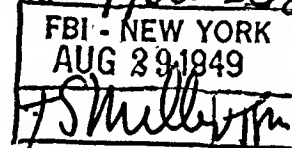
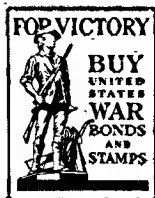
Captain of the Guard AMBLER, U.S. Court House, Foley Square, New York City, advised that on August 29, 1949, the U.S. Marshal turned over to him a letter addressed to "Manager, Prison Department - Miss Yudit Cophon, Condemned to Thirteen Years Prison, New York, U.S.A." The return address on instant letter was JACK CARUANA, Box 796 or F-96, Alexandria, Egypt.

Captain AMBLER advised that JUDITH COPLON was to call for a letter momentarily.

ROBERT L. STEVENSON, JR.

RLS:IM
65-14932

*This was returned to
U.S. Marshal some
time ago - notation
if such placed on
original memo of
delivery ifm.*



NEW YORK 7, NEW YORK

~~STRICTLY CONFIDENTIAL~~ (U)

August 29, 1949

Director, FBI

RE: JUDITH COPLOW
ESPIONAGE - R

Dear Sir:

Reference is made to Bureau letter dated August 1, 1949 and New York teletype to the Bureau dated August 12, 1949 in the above entitled case in which are discussed investigation in progress regarding financial remuneration of ARCHIBALD PALMER.

Investigation of the bank account of ARCHIBALD PALMER is still in progress and will probably be completed within a week or ten days from this date. The account has been very active with deposits each month ranging from \$6,000.00 to \$7,300.00.

Of total deposits of \$33,043.11 made in the account of ARCHIBALD PALMER between March 1, 1949 and July 29, 1949, the following has been determined: \$2,838.00 has been deposited in cash, the amount of \$1788.63 has been determined to be the proceeds of discounted notes of ARCHIBALD PALMER. This actually is one note for \$200.00 secured by a \$1,000.00 U.S. Treasury Bond which has been renewed at three month intervals. Consequently during the pertinent period it has been discounted and renewed on two occasions.

Of the total deposits, checks drawn on out of town banks totaling \$9,062.68 have been examined on Recordak film and positively identified. Another check in the amount of \$1,000.00 drawn on another New York City bank has been traced. The remaining items have not as yet been traced although tracing of the larger items is presently in progress. Of the remaining items several thousand dollars worth of small even amount checks drawn on New York City banks cannot be traced with any degree of certainty.

JAR:AS
65-14932

65-14932-559

Ltr. to Director
NY 65-14932

~~CONFIDENTIAL~~ (U)

With reference to the checks which have been examined on Recordak film, the following is set forth in summary form:

\$562.68 was deposited March 11, 1949 and consisted of a check drawn by Lilli Ann Corporation, 973 Market Street, San Francisco, California, per RUDOLPH KUTSCHER.

A check in the amount of \$500.00 deposited also on March 11 was drawn by J.B. Davis, Inc., 95 Elm Street, Yonkers, New York and was payable to SAMUEL BODER as Attorney for American Millwork Corporation. This was stated to be "\$500.00 on account - balance subject to allowances and adjustments". This check was endorsed to ARCHIBALD PALMER, Attorney, American Millwork Corporation.

A \$500.00 check deposited March 22, 1949 was drawn by S.M. Coplon and Son per BERTRAM G. COPLON on the National Commercial Bank and Trust Company of Albany, 40 State Street, Albany, New York, and was payable to ARCHIBALD PALMER. This check was dated March 21, 1949.

A \$500.00 check deposited March 30, 1949 was drawn to the order of ARCHIBALD PALMER by NORMAN GERSTENZANG and MAX CAPLAN and was signed by both parties. This check was drawn on a bank in Salem, Ohio.

Checks in the amount of \$350.00 and \$50.00 respectively were deposited on April 4, 1949 and were both drawn to the order of ARCHIBALD PALMER by ROSE BROWN on the Lincoln National Bank, Newark, New Jersey. On May 3, 1949 a similar check was drawn by ROSE BROWN in the amount of \$200.00 and deposited by PALMER.

A deposit of \$250.00 on April 6, 1949 was a check dated April 5, drawn by S.M. COPLON and Son per BERTRAM G. COPLON on the National Commercial Bank and Trust Company of Albany, and made payable to ARCHIBALD PALMER.

A \$500.00 check deposited on April 12, 1949 was drawn by Federal Oil and Gas Industries, Inc. on the City National Bank of Houston, Texas, and was payable to ARCHIBALD PALMER.

A \$300.00 check deposited on April 14, 1949 was determined to be a check dated April 11, drawn by S.M. Coplon and Son per BERTRAM G. COPLON on the National Commercial Bank and Trust Company of Albany, payable to ARCHIBALD PALMER.

Ltr. to Director
NY 65-14932

~~CONFIDENTIAL~~

(U)

Checks deposited on April 18 and April 25, 1949 in the amounts of \$200.00 and \$100.00 respectively were drawn by MARIE ASHLEY on the County Trust Company, Scarsdale Office, Scarsdale, New York, and made payable to ARCHIBALD PALMER.

A check in the amount of \$750.00 deposited on April 20, 1949 was drawn by ROGER R. PALMER on the First National Bank, Madison, Wisconsin, and was payable to ARCHIBALD PALMER.

A \$1000.00 certified check deposited May 23, 1949 was drawn by JUDITH COPLON on the Lincoln National Bank, Washington, D.C., and was made payable to ARCHIBALD PALMER. This check was dated May 16, 1949 and per PALMER'S notation on the endorsement cited "against fee, disbursements and expenditures advanced".

A \$500.00 check deposited June 6, 1949 was drawn by George A. Robinson and Company, Inc., East Rochester, New York, per CARLETON B. ROBINSON. This check was drawn on Valley Trust Company, Rochester, New York, and was payable to BERTRAM COPLON and endorsed by him to ARCHIBALD PALMER.

A \$1000.00 check deposited on June 14, 1949 was drawn by Keenan, Kanfer, Weiner and Murphy, per Morris Kanfer on the Union Trust Company of the District of Columbia. This check was dated June 13, 1949 and was payable to ARCHIBALD PALMER. The stub portion contained the notation "Moncharah f'd. fee".

Reference teletype of August 12, 1949 reflects that this same firm gave PALMER a check in the amount of \$1500.00 which he deposited on July 12, 1949.

A \$300.00 check deposited on June 28, 1949 was drawn by RITA W. PALMER on the First National Bank, Milford, Pike County, Pennsylvania, and was payable to ARCHIBALD PALMER.

RITA W. PALMER is known to be the wife of ARCHIBALD PALMER and is usually known by her previous married name of RITA WITTY.

Incidentally, two checking accounts have been located for RITA WITTY at the Chemical Bank and Trust Company and a transcript has been prepared covering the pertinent period. These accounts, however, would not appear to warrant additional investigation.

Ltr. to Director
NY 65-14932

~~CONFIDENTIAL~~ (U)

In addition to checks examined on Recordak film a \$1000.00 check deposited on April 25, 1949 was found to have been drawn on the Manufacturers Trust Company, New York City. This check was traced and was determined to have been drawn by Peerless Tree Light Company and was payable to B.G. COPLON. This company has as yet not been identified.

The following check was deposited by ARCHIBALD PALMER although not in the pertinent period. This check was brought to the attention of the agent by the bank's auditor who discovered it at random while examining a group of checks drawn on the Trade Bank and Trust Company.

On August 15, 1949 a \$500.00 certified check payable to A. PALMER, Attorney, was deposited in his account. This check was drawn by Rite Manufacturing Company per HERMAN MARKSON. This firm is in the sportswear business and is located at 942 Broadway, New York City. Further details will be set forth in an investigative report.

All checks drawn by ARCHIBALD PALMER during the period from March 1, 1949 to July 29 have been examined on Recordak film although the face of the checks only has been photographed. There are several hundred checks involved and most would appear to be in payment of business expenses. It is quite apparent that this account is used as a business and personal account by ARCHIBALD PALMER.

Reference is made to report of SA THOMAS A. MENDENHALL dated July 25, 1949 at Washington, D.C. in which is set forth information regarding an investigation conducted at the Hotel Willard, Washington, D.C. There is set forth on page 4 of referenced report a list of checks cashed by PALMER at the Hotel Willard or presented by PALMER in payment of hotel bills. These checks have been verified by observation on Recordak film.

In addition an examination of the checks has disclosed that PALMER paid the rental fee on a safe deposit box located at the Chemical Safe Deposit Company, New York City. No further investigation has as yet been conducted regarding this box.

ARCHIBALD PALMER drew a check dated May 9, 1949 in the amount of \$100.00 to the order of JUDITH COPLON. There have also been obtained the names of several stenographers who were paid "for special stenographic services re: Coplon".

Ltr. to Director
NY 65-14932

~~CONFIDENTIAL~~ (U)

Further analysis of the checks drawn by PALMER will not be attempted in this letter but will be covered thoroughly in a subsequent investigative report.

Most of the remaining investigation to be conducted will consist of having certain checks traced through other New York City banks. The estimate of time given to complete this tracing is based on the assumption that these banks will handle the matter expeditiously.

Very truly yours,



EDWARD SCHMIDT
Special Agent in Charge

65-14932-560

See 65-14932-566 - SERIALS IDENTICAL

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK
SEPTEMBER 2, 1949

Transmit the following Teletype message to:

BUREAU...URGENT

JUDITH COPLON, ESP-R. RE TRANSCRIPT OF COPLON TRIAL IN WASHINGTON, DC.
IT IS CONSIDERED EXTREMELY IMPORTANT BY THIS OFFICE THAT THE AGENTS
WHO TESTIFIED IN WASHINGTON BE PERMITTED TO REVIEW THE TRANSCRIPT COVERING
THEIR TESTIMONY. IT IS REQUESTED THAT THE BUREAU FORWARD TO NEW YORK
A PHOTOSTATIC COPY OF THAT PART OF THE TRANSCRIPT WHICH COVERS TESTIMONY
BY NY AGENTS. IN VIEW OF THE IMPENDING COPLON - GUBITCHEV TRIAL IN NY
IT WOULD BE APPRECIATED IF THE BUREAU WOULD FORWARD THIS BY SEPTEMBER
NINTH.

SCHEIDT



ERT:IM
65-14932

Approved: 
Special Agent in Charge

Sent 7:30 M Per gs

65-14932-561

**Federal Bureau of Investigation
United States Department of Justice**

September 2, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

At 1:45 P.M. on September 2nd, the writer and SA Steven A. McGarr commenced a surveillance of the Hotel Vanderbilt, 34th Street and Park Avenue, New York City.

At 2:40 P.M. JUDITH COPLON entered the hotel and met an individual described as follows:

Height:	5'10" or 5'11"
Sex:	Male
Age:	About 35
Weight:	170-175 lbs.
Hair:	Dark brown
Apparel:	Well dressed, no hat

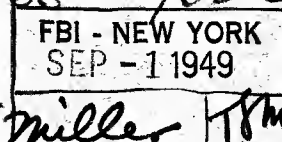
COPLON and individual immediately left the hotel and entered a car parked outside which was a 1947 two door Buick with New York license 2Y-4825. Coplon was carrying an overnight bag.

A check of the Motor Vehicle Bureau determined that this car is registered to SAMUEL A. NEUBERGER, 170 Hawthorne Street, Brooklyn, New York. No surveillance of the car was conducted.

Indices of the New York Office reflect SAMUEL ABRAHAM NEUBERGER, Was, is the subject of an Internal Security - C case file 100-66110. The file reflects NEUBERGER resides at 170 Hawthorne Street, Brooklyn, and maintains an office (law) at 76 Beaver Street. He is a member of the Civil Rights Congress and other Communist front organizations. He has appeared on behalf of such individuals as LEON JOSEPHSON, GERHART EISLER and GIO officials. Log submitted.

EDMUND R. TULLY, SA

ERT:IM
65-14932



T. S. Miller

~~MRS. SCOTT~~
~~MRS. FRY~~
~~MRS. FRY~~
Hammill
1949
CELL CLERK
PROPERTY CLERK
TRAINING UNIT

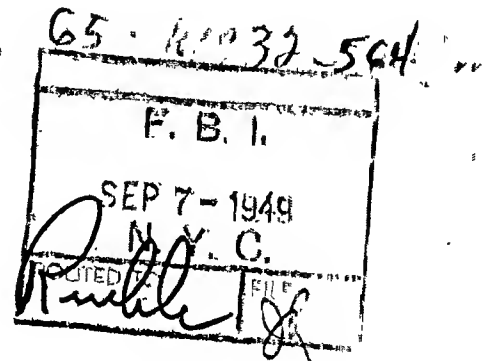
MEMO

Re: JUDITH COPLON
ESPIONAGE - R

On the afternoon of September 7th Mr. H. B. Fletcher requested that we expedite our report on the investigation of the financial condition of ARCHIE PALMER.

A. H. BELMONT
ASAC

AHE:MRW



FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
SEPTEMBER 8, 1949

Transmit the following Teletype message to:

BUREAU - URGENT

JUDITH COPION, ESPIONAGE - R. RE TELEPHONE CALL BY MR. FLETCHER TO NEW YORK
SEPTEMBER SEVEN REQUESTING EXPEDITE REPORT ON INVESTIGATION OF PALMER'S
FINANCIAL CONDITION. PLEASE REFER TO NEW YORK LETTER AUGUST TWENTYNINE.
DUE TO EXTENSIVE ACTIVITY IN PALMER'S ACCOUNTS, THE TRACING OF CHECKS DEPOSITED
BY PALMER HAS NOT BEEN COMPLETED AND THE MAJORITY OF THIS WORK IS BEING DONE
BY THE BANKS THEMSELVES WHICH HAVE BEEN ADVISED OF THE EXPEDITIOUS NATURE OF
INSTANT MATTER. REPORT WILL BE SUBMITTED BY SEPTEMBER SIXTEEN.

SCHEIDT

TSM:MOM
65-14932Approved: 
Special Agent in ChargeSent 649 M Per go

65-14932-565

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, New York

DATE: September 17, 1949

FROM : Director, FBI

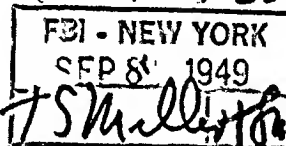
STRICTLY CONFIDENTIAL (U)

SUBJECT: JUDITH COPLON
ESPIONAGE - R

Reference is made to the memorandum of the New York Office dated August 4, 1949 suggesting that the remarks of Judge Reeves, prior to the sentencing of Judith Coplon, should be incorporated in the parole report which was submitted in this case. In accordance with the suggestion of the New York Office, a memorandum was directed by the Bureau to the Bureau of Prisons incorporating the pertinent remarks of Judge Reeves in order to supplement the parole report which had previously been submitted to the Bureau of Prisons.

It is therefore not necessary for any action to be taken by the Washington Field Office with respect to this matter.

cc - Washington Field



MR. SCHEIDT
MR. WILLIAM
MR. COLLIER
MR. STANVILLE
MR. BUCKLEY
MR. TERRY
MR. SAULT
MR. BROWN
MR. HARRISON
MR. TERRY
MR. WATSON
MR. WOOL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Federal Bureau of Investigation
United States Department of Justice
New York, New York

September 8, 1949

MEMO

Re: JUDITH COPLON
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GIBBONS
MR. HILL
MR. HUGHES
MR. HUNT
MR. MARSHALL
MR. MCCARTHY
NIGHT SUPERVISOR
MR. RING
MR. TUCKER
MR. WATSON
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

At approximately 2:40 p.m. SA Charles W. Peasinger of the Washington Field Office delivered in person a carton containing the transcript of the trial of subject COPLON in Washington, D.C.

On the morning of September 8th Mr. H. B. Fletcher of the Bureau had advised me that the transcript would be delivered in accordance with our request by an agent of the Washington Field Office in order that agents who had testified at the trial might be in a position to go over the testimony.

AHB:MEW

*we must keep a
close check on this
transcript as this
recall it as Bureau may
notice. Establish accurate
check and system. If
should not leave the office.*

A. H. BELMONT
ASAC

105-14932-8678

F. B. I.	
SEP 8 - 1949	
N. Y. C.	
ROUTED TO	FILE

Federal Bureau of Investigation
United States Department of Justice
New York 7, New York

September 9, 1949

MEMO

Re: JUDITH COPLON
ESPIONAGE - R

There is presently available in my office that portion of the Transcript of COPLON's trial in Washington which contains the testimony given by New York agents. This Transcript was sent to the New York Office for the benefit of those agents who testified so that they may review their testimony before the forthcoming hearing on September 21, 1949 and the trial on October 17, 1949.

Inasmuch as this is the only copy available to the Department, The Bureau must produce any part or all of the Transcript immediately upon request. In view of this, the following procedure must be followed in obtaining a volume for review:

1. A charge-out slip must be placed on one of the red cards kept in the file drawer with the Transcript.
2. All volumes must be returned to the drawer at the end of each day.
3. An index is maintained in the drawer to enable you to determine in which volume your testimony is located.

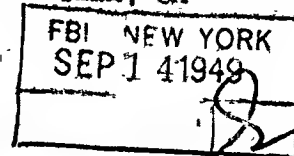
Agents listed below please initial:

R. E. BRENNAN *MB*
M. F. CAREY *MB*
D. F. GARDE *MB*
R. T. HRADSKY *MB*
J. F. MALLEY *MB*
T. J. McANDREWS *MB*
T. F. MCCARTHY *MB*

J. R. MURPHY *MB*
R. W. ROBINSON *MB*
J. J. WARD *MB*
R. J. WIRTH *MB*
T. H. ZOELLER *MB*

Stenos
SAPPHO MANOS *Sm*
KATHERINE CONDON *(an A/L 2 wks)*

R. R. GRANVILLE, SA



65-14932-568

See serial 65-14932-570 - Serials identical

Federal Bureau of Investigation
United States Department of Justice
New York, New York

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HART
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. Egan
MR. Gurnea
MR. Harbo
MR. Hendon
MR. Jones
MR. Quinn
MR. Nease
MR. Pennington
MR. Tamm
MR. Telford
MR. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

September 12, 1949

MEMO

Re: WALTER WINTCHELL BROADCAST
SEPTEMBER 11, 1949
Re: JUDITH COPLON

The following was a part of the Walter Wintchell Broadcast of Sunday evening, September 11, 1949:

"The JUDY COPLON conspiracy case will be tried on October 14th. The United States Government hopes she will turn State's evidence against Russia's GUBITCHEV. If she refuses the fireworks will start. If she cooperates she will get only one year."

151-5927
77-6377
65-14732

65-14932-569
F. B. I.
SEP 12 1949
N. Y. C.
ROUTED TO
TJ Miller

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

September 12, 1949

MEMO

Re: JUDITH COPLON
ESPIONAGE - R

In an effort to determine the source or sources of the \$20,000.00 check that BERTRAM G. COPLON, subject's brother, posted in N.Y.C. for subject's bail, JOHN LIVINGSTON, Cashier's Office, Clerk, U.S. District Court, Southern District of New York was contacted on 8/16/49. Mr. LIVINGSTON reviewed the records and advised that the check of BERTRAM G. COPLON in the amount of \$20,000.00 was delivered to the Clerk's Office on 3/11/49. There is no information in the Clerk's Office as to what bank the check was drawn on. Mr. LIVINGSTON did not remember what bank the check was drawn on but stated that it was deposited by the Clerk, U.S. District Court in Registry Account Number 1 with the Manufacturers Trust Company, 100 Park Row, N.Y.C. on 3/15/49. To the best of his recollection, Mr. LIVINGSTON stated, the \$20,000.00 check was brought to the Clerk's Office by ARCHIE PALMER. PALMER gave no indication as to where BERTRAM COPLON obtained the money.

Supervisor Tuohy was advised of the above and declared he would call the Bureau and advise the Bureau of this information.

EDWIN R. TULLY, SA

ERT:ekp
65-14932

65-14932-570 8
TS
FBI - NEW YORK
SEP 12 1949
Miller

Q

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HESTES
MR. TUCKER
MR. HANLEY
MR. NEASE
MR. GILBERT
MR. TUCKER
MR. WATSON
MR. WOOL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, New York

FROM : Director, FBI

SUBJECT: JUDITH COPLON
ESPIONAGE - R

STRICTLY CONFIDENTIAL

(U) DATE: September 12, 1949

There is being forwarded under separate cover one photostatic copy for the New York Office of the testimony of Judith Coplon at the Washington trial. This transcript should be reviewed for possible investigative leads which would strengthen the Government's case in the forthcoming trial in New York. The transcript of the testimony of other witnesses has not been photostated due to the voluminous nature of the testimony and due to the fact that this testimony is not believed pertinent to the setting out of additional investigative leads.

The transcript of the testimony of the Special Agents, who will again be witnesses in the New York trial, will be made available to them prior to their again testifying.

The Criminal Division has advised, with respect to the answer to the affidavit filed by Palmer in a motion to suppress, that the Government merely filed a memorandum of law and a copy of the affidavit of Special Agent Granville's affidavit, which was part of the answer to a corresponding motion in the Washington case. It is believed that copies of this memorandum are on file in the Southern District of New York.

cc - Washington Field

*Self
submitted
10-13-49-151*

65-14932-571-2

FBI - NEW YORK
SEP 14 1949
R. M. Miller

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

NEW YORK

FILE NO. **65-5128**

REPORT MADE AT WASHINGTON, D. C.	DATE WHEN MADE 9-13-49	PERIOD FOR WHICH MADE 9/7-2,12/49	REPORT MADE BY THOMAS A. MENDENHALL MNW
TITLE JUDITH COPLON; VALENTINE ALEKSEEVICH CUBITCHEV, Was			CHARACTER OF CASE ESPIONAGE - R

SYNOPSIS OF FACTS:

Transcript of testimony in COPLON's trial, Washington, D.C. reflects that on June 20, 1949, she testified that JEAN CONSTANT, a former fellow passenger aboard the ship on which she returned from Europe furnished her with his name and address on the back of a card of the Marianne et Fils Restaurant, New York City, while she was with Departmental Attorney, HAROLD KOFFSKY. She testified that CONSTANT was a naturalized American citizen serving in the Merchant Marine.

-P-

REFERENCE:

Bureau File #65-58365
Report of Special Agent T. SCOTT MILLER, Jr., dated March 8, 1949 at New York.

DETAILS:

AT WASHINGTON, D. C.

Referenced New York report reflects that at the time of COPLON's arrest, she had in her possession a 2"x3" card of the Marianne et Fils Restaurant, 332 W. 45th Street, New York City, on the reverse side of which was printed in pencil the name JEAN CONSTANT, 357 W. 52nd Street, New York City.

The transcript of the proceedings in the trial of JUDITH COPLON on pages 7307 and 7308 reflects that during her direct examination on June 20, 1949, PALMER introduced this card into

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT DESTROY - PENDING LITIGATION DO NOT WRITE IN THESE SPACES
		65-14932-572
COPIES OF THIS REPORT		
5 - Bureau ④ - New York (1 SAAG T. J. Donegan) (65-14932) 2 - Washington Field		
		FBI - NEW YORK SEP 18 <i>T.S. Miller</i>

evidence and requested that she explain her possession of it.

CORLON testified that in October or November (1948), she and Mr. WILLIAM POLLEY of the Department, having ridden from Washington to New York together on the same train, stopped at the New Yorker Hotel in New York to see Mr. HAROLD KOFFSKY, a Departmental Attorney, who was staying there and who had arrived in New York by an earlier train that day. She testified that KOFFSKY had invited her to dinner that night and Mr. POLLEY suggested the Marianne et Fils Restaurant as a place recommended to him by fellow passengers on the SS DeFrance during his return trip from Europe as a reasonably priced French restaurant.

CORLON further testified that she and KOFFSKY went to the restaurant that evening and that while there, she chanced to meet a former fellow passenger who had been aboard ship on her return trip from Europe. She referred to him as Le Jean, a naturalized American citizen who was in the Merchant Marine. She said this man had sat down with her and KOFFSKY; accepted a drink of cognac from the latter; and later wrote his name and address on the back of this restaurant card. She also testified that she later received a Christmas card from CONSTANT.

On September 12, 1948, Mr. HAROLD KOFFSKY, Attorney, Department of Justice, advised that he recalled the above referred to incident. He said as he recalled it, Mr. POLLEY did not furnish CORLON with the restaurant card in question but had checked the New York telephone directory in order to furnish the address of this restaurant. He said that he and CORLON arrived at the Marianne et Fils between 7:30 and 8:00; stayed until between 9:30 and 10:30; and that during their meal, a man walked to their table from the connecting bar adjoining the dining room and carried on a conversation with CORLON in French. Mr. KOFFSKY said he could not understand their conversation because he did not know French sufficiently well but said he recalled CORLON having stated that this man had been a former fellow passenger on her return trip from Europe. He did not recall this individual's name or occupation nor did he recall this individual having written his name and address on a card and giving it to CORLON.

Mr. KOFFSKY said he vaguely recalled this man to have been about 5' 3" or 5' 4" in height, between 35 and 38 years old, and to have been of medium-stocky build.

He stated that after this man had finished his drink at their table, he went back into the bar but later returned and

invited them to have a drink there, which invitation they accepted. Mr. KOFFSKY said that the individual seemed to be well known in the restaurant especially to the bar tender, whom KOFFSKY described only as husky, and to the hat check girl, whom he described as being an older person, probably in her late 30's. He could furnish no further description of the hat check girl. He said, however, that he recalled this man to have had hat check #66, which he was flourishing in the restaurant and concerning which he had made remarks having obscene connotations. He said he recalled the hat check girl and this man laughing over one of these remarks.

Mr. WILLIAM POLY advised on September 12, 1949, he recalled having ridden to New York with COPLAN the day before Thanksgiving 1948 and having stopped at the New Yorker Hotel to see KOFFSKY. He stated that although he had testified that he had given the Marianno et Pile Restaurant card to COPLAN, he found later that he had not given her the card which she had in her possession when arrested because he still had the card which had been given him by a former fellow passenger aboard the ship on which he returned from Europe.

- P E N D I N G -

LEADS

THE NEW YORK OFFICE:

At New York, New York, will again make inquiry at 332 W. 45th Street, New York, for information concerning a JEAN CONSTANT, who is of French descent and reportedly in the Merchant Marine, having resided there in September or October 1943.

Will make inquiry at the Marianne et Fils Restaurant in an effort to identify CONSTANT.

Will at the French Lines, check the manifest of the SS Wisconsin, which docked in New York around July 25, 1943 to determine if JEAN CONSTANT was a passenger or a crew member aboard this ship on which COPLON returned from Europe.

THE WASHINGTON FIELD OFFICE:

At Washington, D.C., will check the records of the Central Office Files of the Immigration and Naturalization Service, 19th and East Capitol Streets; the Merchant Seamen records of the Coast Guard, and the records of the Passport Division of the State Department for information concerning JEAN CONSTANT.

Director, FBI

September 14, 1949

GUY HOTTEL, SAC, Washington Field

JUDITH COPLON
ESPIONAGE - R

There is enclosed herewith to the Bureau and New York Office the report of Special Agent THOMAS A. MINDENHALL, dated September 13, 1949, at Washington, D. C. In connection with the lead to check the manifest of the SS Wisconsin, it is desired to call to your attention that Mr. WILLIAM FOLEY, when interviewed on September 12, 1949, advised that he recalled COPLON to have returned from Europe aboard this ship.

It is suggested that the New York Office obtain the complete passenger and crew lists of the SS Wisconsin on that trip and furnish them to the Washington Field Office for possible use in connection with further investigation of COPLON.

Reference is also made to Bureau letter dated September 6, 1949, requesting a short summary of the pertinent available information concerning COPLON's trip to Europe, which information is desired for dissemination to interested outside agencies. Since all of the information concerning COPLON's arrival into the United States is not available to the Washington Field Office, it is requested that the New York Office immediately furnish the Bureau by memorandum the exact date of COPLON's arrival.

TAM:cl

65-5128

Enclosure

cc - New York (encl.)

65-14932-573

Q

FBI - NEW YORK
SEP 19 1949
T. J. Miller

Director, FBI

September 14, 1949

GUY HOTTEL, SAC, Washington Field

JUDITH COPLON
ESPIONAGE - R

Reference is made to Bureau letter dated September 6, 1949, requesting a short summary of the pertinent available information concerning JUDITH COPLON's trip to Europe in the spring of 1948, which information is desired for dissemination to interested outside agencies.

Passport #2042149 was issued on May 7, 1948 to JUDITH COPLON for travel to France, Great Britain, Italy and Switzerland for touring purposes. COPLON stated in her passport application that she intended to leave the United States from the Port of New York on May 27, 1948, and that she intended to return to the United States within six weeks. In this application, COPLON described herself as being 5' in height, with brown hair, brown eyes, and no distinguishing marks or features. She weighs approximately 105 pounds. A copy of COPLON's birth certificate issued by the Department of Health, Bureau of Records and Statistics, City of New York, states, according to Birth Record #19563 filed in the Brooklyn office of this bureau on May 20, 1929, that she was born May 17, 1921, in the City of New York. There is no indication that COPLON had previously or has since been issued a passport.

On April 12, 1948, COPLON deposited with the District of Columbia Motor Club AAA, \$64.8 for a round-trip airline ticket from New York to Paris.

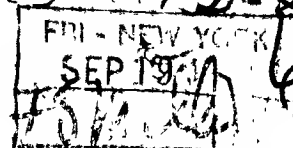
In addition, COPLON arranged through the District AAA for a \$214 14-day motor coach tour through France, Italy, Dolomites, Tyrol, and Switzerland with Blue Cars (Continental), Ltd., Travel Agency, 224 Shaftesbury Avenue, London, WC2, England, with New York Branch at 52 Vanderbilt Avenue, New York 17, New York. This tour included hotels, meals and transportation, and was to commence on June 6, 1948, at Paris, going from there to Dijon, Montreux, Stresa, Milan, Rapallo, Genoa, Nice, Avignon, Vichy, and back to Paris on June 19, 1948, with a day's stopover in each of the cities of Montreux, Stresa and Rapallo, and a three-day stopover at Nice.

It is to be noted, however, that in making inquiry at the District Motor Club, Miss COPLON expressed an interest in visiting Copenhagen, Russia, Stockholm, Paris, London and Scotland.

Under a reservation made for her by the travel agency, Miss COPLON departed New York on Flight #972, TWA, at 1:00 P. M., May 27, 1948, holding Ticket #81594, for this accommodation, scheduled to arrive in Paris on May 28, 1948.

TAM:cl
65-5128

cc - New York



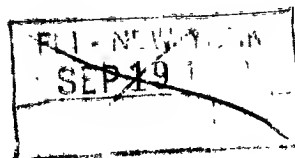
In accordance with Miss COPLON's desire that hotel reservations for her be made for one night only by the travel agency because of her expressed intention of visiting friends for the additional period, a room was reserved at the Hotel Lutetia in Paris for the night of May 28, 1948. When requested by the travel service to furnish a foreign address, she gave the name of Miss CATRICE BRAUDE, c/o American Embassy, Paris. Miss BRAUDE is a U. S. State Department employee in France.

During COPLON's trial for a violation of the Espionage Statute in Washington, D. C., she testified on June 16, 1949, during her direct examination, concerning her reason for taking this trip, at which time she stated she had not had a vacation in years, thought she would like a long one, wanted a change and to get out of Washington, and therefore, decided to go to Europe.

On cross-examination on June 21, 1949, COPLON testified that on one occasion she had told VALENTIN GUBITCHEV, presently under indictment in New York with COPLON for violations of the Espionage Statute, of her trip to France and two trips to Italy. She explained her two trips to Italy by testifying that she visited Italy once in connection with what she referred to as the "Cook's Tour", and once on her own later to see Florence and Rome. She further testified that she went to Paris, not in connection with the tour, and stayed eight days before the trip began, although she arranged for the trip in Washington prior to leaving the States. She also testified that the tour was to include Southern France, Northern Switzerland, the Northern Italian Lake Region, Genoa, Milan, the Italian and French Riviera, and Paris, and that she took the tour with that itinerary.

Concerning COPLON's second trip to Italy, she testified that she took a train from Paris to Rome and on the way back stopped in Florence. She stated that in Florence she met an Italian Marquis who had given up his title and who was studying piano. She testified she met him through an American girl whom she had met in Florence.

On June 23, 1949, COPLON testified that in the spring of 1948, she visited the travel agency of the AAA with regard to her contemplated travel. She then testified that she asked a clerk at the agency if it were possible to go to Russia. In court, she explained this inquiry concerning Russia by saying she was interested in getting behind the "Iron Curtain", and in going to such countries as Bulgaria and Yugoslavia to see what it was like since her work in the Department of Justice was concerned with these countries.



It is known that Miss COPLON did not return to the United States by air, and it is believed that she traveled aboard the SS Wisconsin of the French Lines which docked around July 25, 1948, in New York.

By letter dated September 14, 1949, which enclosed a Washington Field Office report on COPLON, the New York Office was requested to furnish the Bureau by memorandum with the exact date of COPLON's return to the United States.

**Federal Bureau of Investigation
United States Department of Justice**

September 16, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

In connection with the review of the testimony in the Washington trial of JUDITH COPLON, it is requested that each agent, when reviewing his own testimony, make a notation each time the name of Mr. Scheidt or Mr. Belmont is mentioned. The circumstances under which the name is mentioned should also be noted. Each agent will then prepare a memorandum setting out all of the times each name is mentioned and the circumstances. This should be done as soon as possible.

Agents listed below please initial:

R. E. GRANVILLE *RB*
R. E. BRENNAN *RB*
M. F. CAREY *MF*
D. F. GARDE *DFG*
R. T. HRADSKY *RTH*
J. F. HALLLEY *JFH*
T. J. McANDREW *TJM*

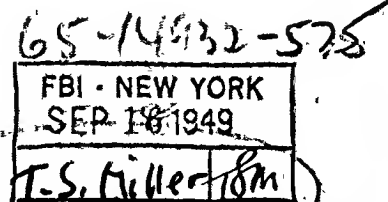
E. F. MCCARTHY *EFM*
J. R. MURPHY *JRM*
R. W. ROBINSON *RWR*
J. J. WARD *JJW*
R. J. WIRTH *RJW*
T. H. ZOELLER *THZ*

Stenos

Expedite → SAPPHO MANOS *SM*
CATHERINE CONDON *CC*

T. SCOTT MILLER, SA

TSM:III
65-14932



FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

JAR:RAA
65-14932

NEW YORK, N. Y.
SEPTEMBER 19, 1949

Transmit the following Teletype message to: BUREAU (URGENT)

JUDITH COPLON, ESPIONAGE R. REOURTELETYPE SEPTEMBER EIGHTH, FORTY NINE, RE REPORT ON FINANCIAL CONDITION OF ARCHIBALD PALMER. INVESTIGATION NEARLY COMPLETE, AND PENDING REPORT NOW BEING TYPED. BUREAU SHOULD RECEIVE BY SEPTEMBER TWENTY THIRD, FORTY NINE.

SCHEIDT

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HILSDOS
MR. HUGHES
MR. KENNEDY
MR. MANCHESSAULT
MR. McGRATH
NIGHT SUPERVISOR
MR. KING
MR. TUCKY
MR. WATSON
MR. WOLF
CHIEF CLERK
PROPERTY CLERK
TELEPHONE UNIT

Approved: ES Hex
Special Agent in Charge

Sent 7:09 PM Per Cj
65-14932-576

607 U.S. Court House
Foley Square
New York, New York

September 20, 1949

[REDACTED]
RE: JUDITH COPLON
ESPIONAGE - R

b7D

Gentlemen: Attention: [REDACTED]

In connection with an official investigation being conducted by this office, it is requested that you make available to Special Agent John A. Rushe all records relative to [REDACTED] of the following individuals:

[REDACTED]
[REDACTED]
[REDACTED]

The information furnished by you will not be disclosed to any unauthorized persons without the use of a subpoena duces tecum directed to [REDACTED]

Your cooperation in this matter is greatly appreciated.

Very truly yours,



EDWARD SCHMIDT
Special Agent in Charge

65-14932
JAR:IM

65-14932-577 ✓

New York, New York

September 21, 1949

MEMO

Re: VALENTINE GUBITCHEV;
JUDITH COPLON
ESPIONAGE - R

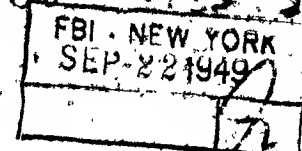
On the afternoon of September 21st I called Mr. H. B. Fletcher of the Bureau to advise him in connection with the scheduled hearing before Judge BONDY today on COPLON's motion to void the indictment because of illegal arrest. Mr. WHEARTY and Mr. KELLY of the Department arrived here about noon today. They then went up to see Judge KNOX and upon their return Mr. WHEARTY advised as follows:

He stated that Judge KNOX informed them that a judge would be available ready for trial on November 9, 1949; that on October 17th, when the case is presently scheduled, the trial date will be set for November 9th. Judge KNOX did not name the judge who would preside. WHEARTY called the Judge's attention to the unusual tactics of PALMER in the trial at Washington and Judge KNOX said he was aware of PALMER's characteristics. This was done in order to put Judge KNOX on notice that a strong judge would be necessary to handle the trial.

Mr. WHEARTY said that he and Mr. KELLY then talked to Judge BONDY by telephone at his home where BONDY is sick, relative to the supposed hearing today. Judge BONDY advised that he believed the trial judge should pass on the motion in question, but that BONDY did not want to be inconsistent and desired to check on whether he had previously said he would hold a hearing. Judge BONDY inquired whether there had been minutes taken of the discussion on this matter in his chambers. He requested WHEARTY and KELLY to appear before him next Thursday, September 29th, to argue the motion. There will be no witnesses. Mr. WHEARTY advised that there had been no minutes of the proceedings in Judge BONDY's chambers.

cc: NY 65-14932 - (JUDITH COPLON) ✓

AHB:MEW
65-14939



MEMO

NY 65-14939

The above information was telephonically furnished to Mr. H. B. Fletcher of the Bureau on the afternoon of September 21st. Mr. Fletcher was further advised that neither COPLON, PALMER or GUTICHEV had appeared in Court today and apparently PALMER had spoken to WHEARTY yesterday. Mr. Fletcher was further advised that Mr. WHEARTY and Mr. KELLY had requested that we return the transcript of the COPLON trial in Washington as soon as we could in order that the Department could properly index it as it is felt that PALMER will attempt to cross up the agents in their testimony by utilizing the previous testimony given by them as reflected in the transcript. Mr. Fletcher suggested that we send the transcript back to the Bureau by way of a Special Agent attending In-Service the Monday, after next, October 3, 1949. In the event the agent goes down on Sunday evening, he can take the transcript to Mr. Fletcher's office and leave it with the night supervisor.

ALAN H. BELMONT

FD-204

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

NEW YORK

FILE NO.

NY

65-14932 RN/er

REPORT MADE AT NEW YORK	DATE WHEN MADE 9/23/49	PERIOD FOR WHICH MADE 8/4-9, 11-23, 25-30; 9/2-15/49	REPORT MADE BY JOHN A. RUEHLE (A)
TITLE JUDITH COPLON			CHARACTER OF CASE ESPIONAGE -- R

SYNOPSIS OF FACTS:

~~STRICTLY CONFIDENTIAL~~ (U) d

Examination of known [redacted]
[redacted] nearly completed. No indication of subversive
sources [redacted] as yet.

- P -

REFERENCE:

Bureau letter dated August 1, 1949;
Report of Special Agent THOMAS A. MENDENHALL
dated July 25, 1949, at Washington, D. C.;
Teletypes to Bureau August 12, 1949 and
September 8, 1949;
Letter to Bureau dated August 29, 1949

b7D

DETAILS:

AT NEW YORK, NEW YORK

An examination of known [redacted]
has been nearly completed and as yet there has not been determined any source
[redacted] which would appear to be of a subversive
character.

APPROVED AND FORWARDED: [Signature]	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES 65-14932-579 [Signature]
COPIES OF THIS REPORT 5 - Bureau 4 - Washington Field ④ - New York 1 - SAAG T. J. DONEGAN ics rph sub-file D.		

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NY 65-14932



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Information reported herein should not be disclosed except in a usual proceeding following the issuance of a subpoena.

To insure the security of this investigation, [redacted]

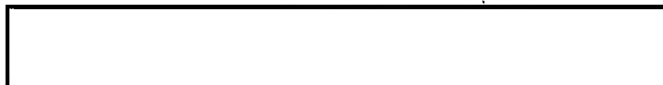
[redacted]
under pretext by Confidential Informant T-2 of known reliability and no contact was had by the writer with this [redacted]

It was determined that the following [redacted] are maintained currently by [redacted]

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(1)

(2)



With reference to the background of these [redacted] and with reference to information contained in the [redacted] it should be noted that such records are maintained at the [redacted]

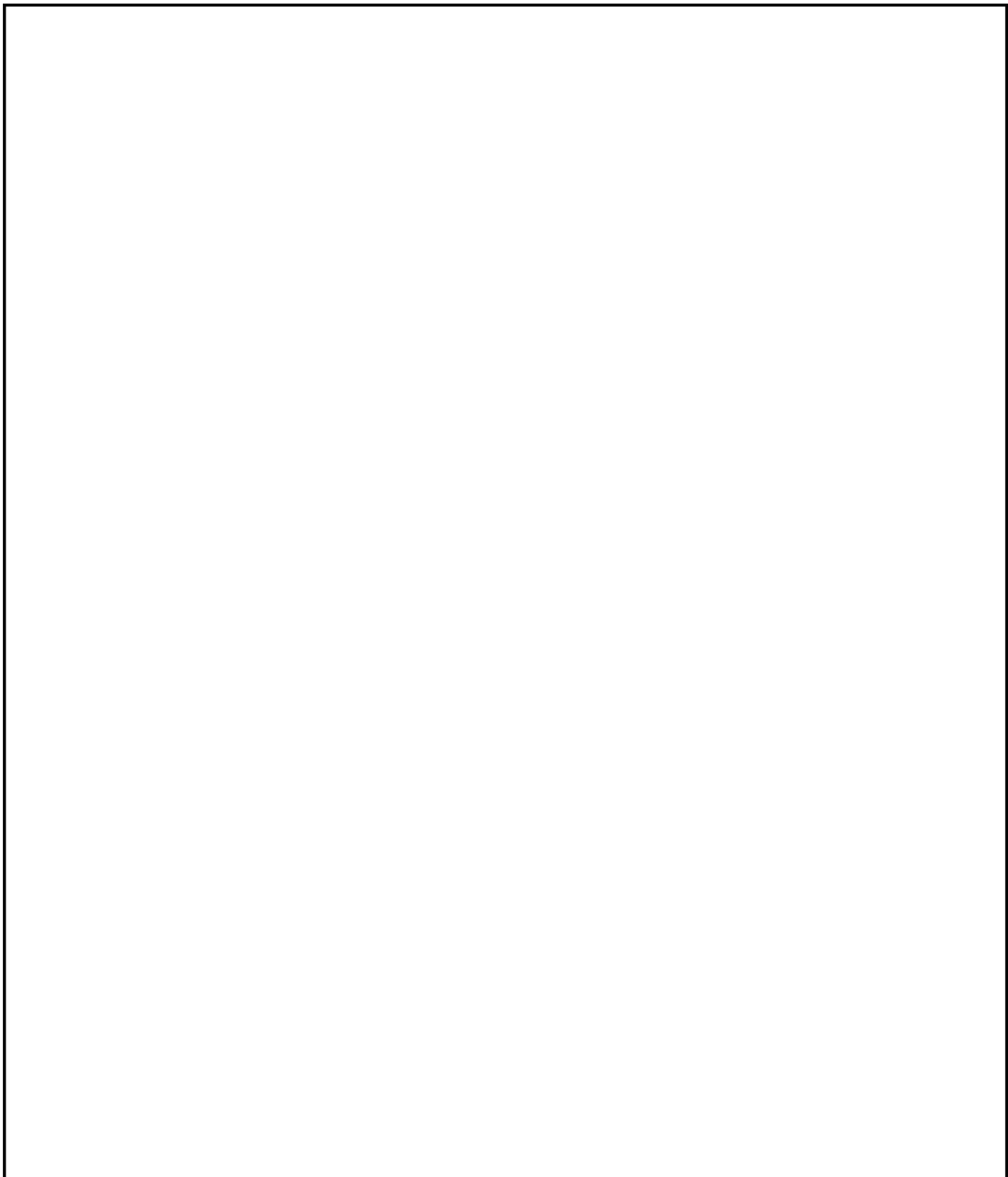
[redacted]
for security reasons. Informants T-1 and T-2 concurred in the view

NY 65-14932

that no contact should be had with the [redacted] and T-1
advised that [redacted] must be on quite friendly terms with the

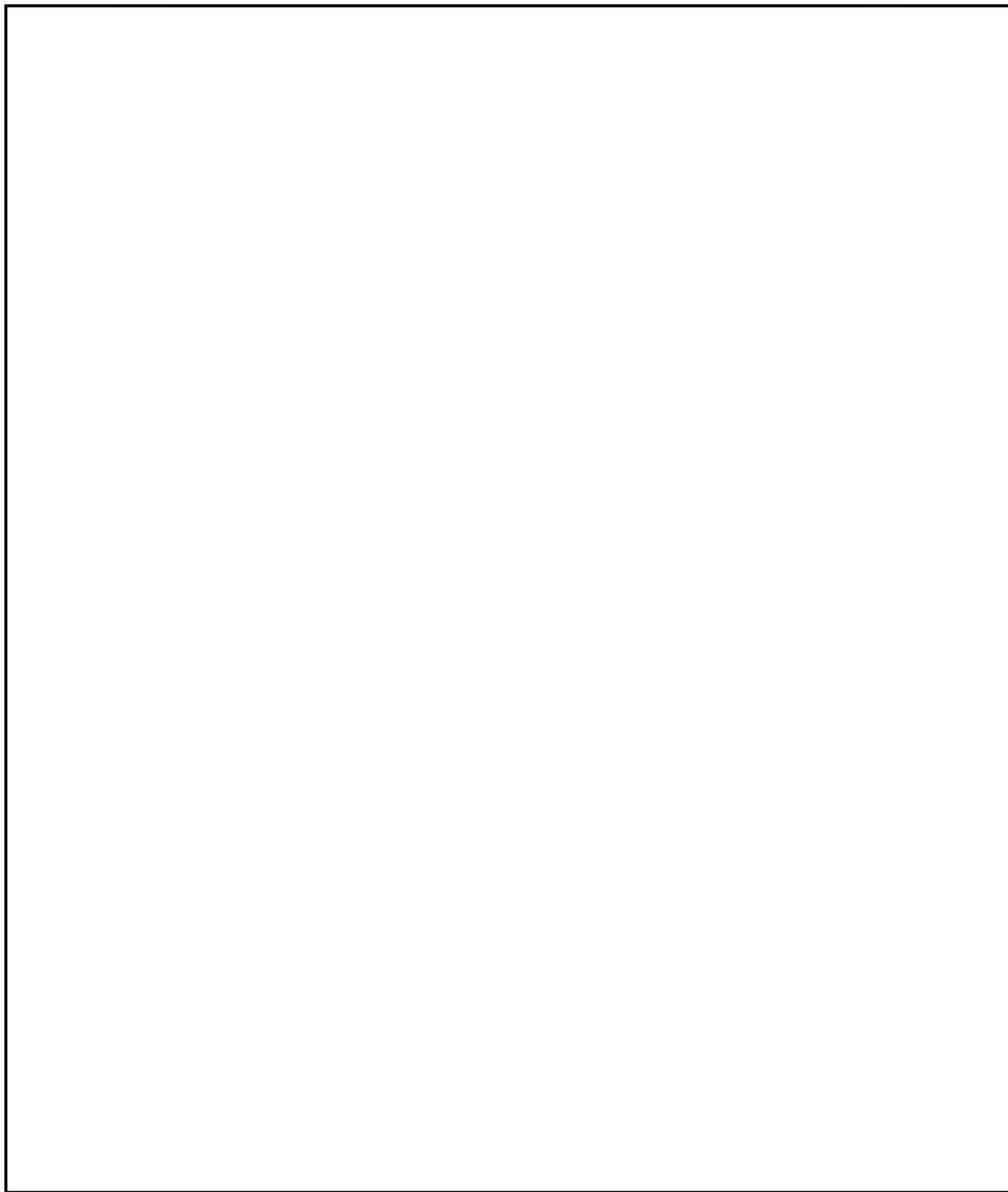
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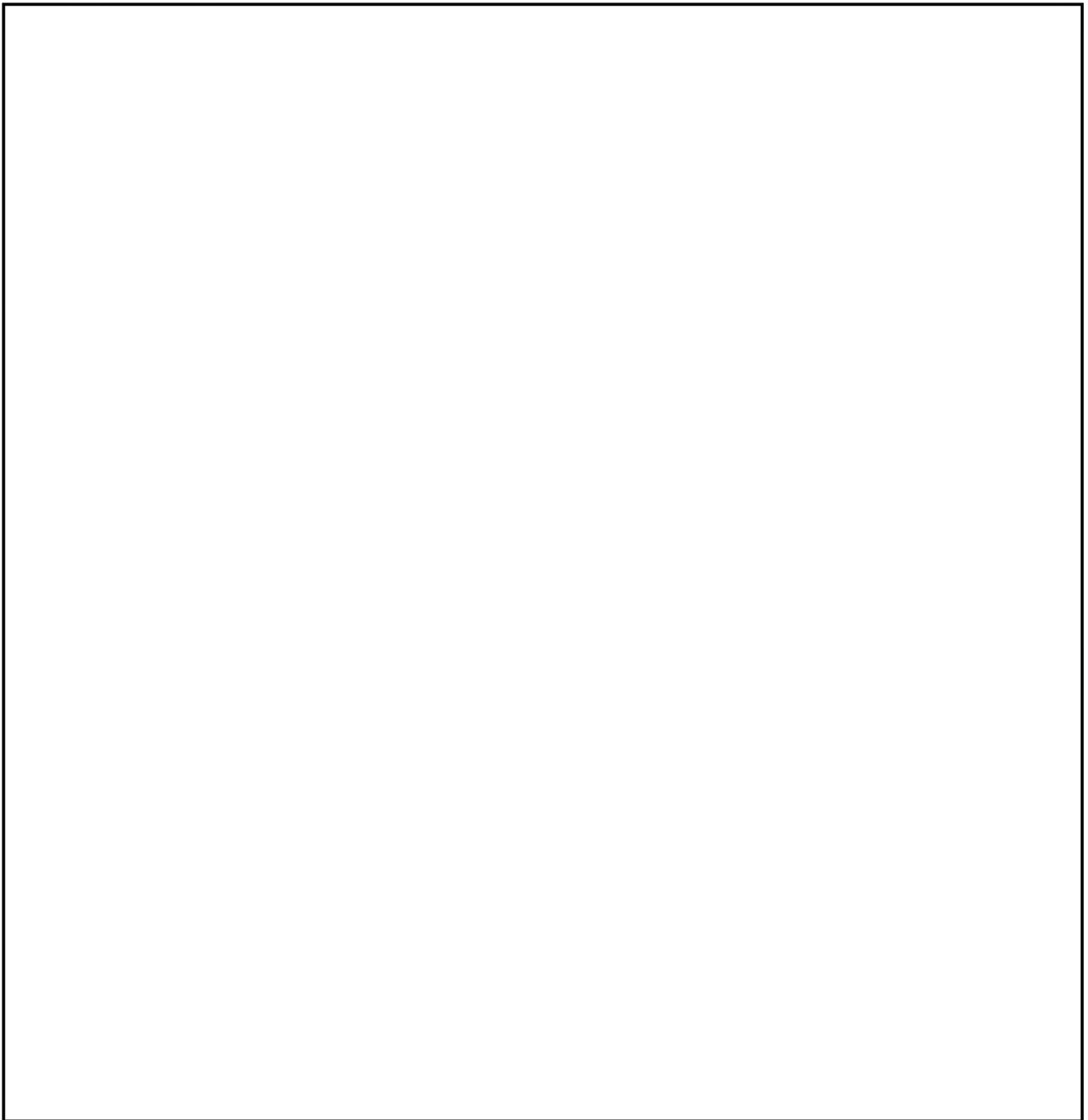
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NY 65-14932



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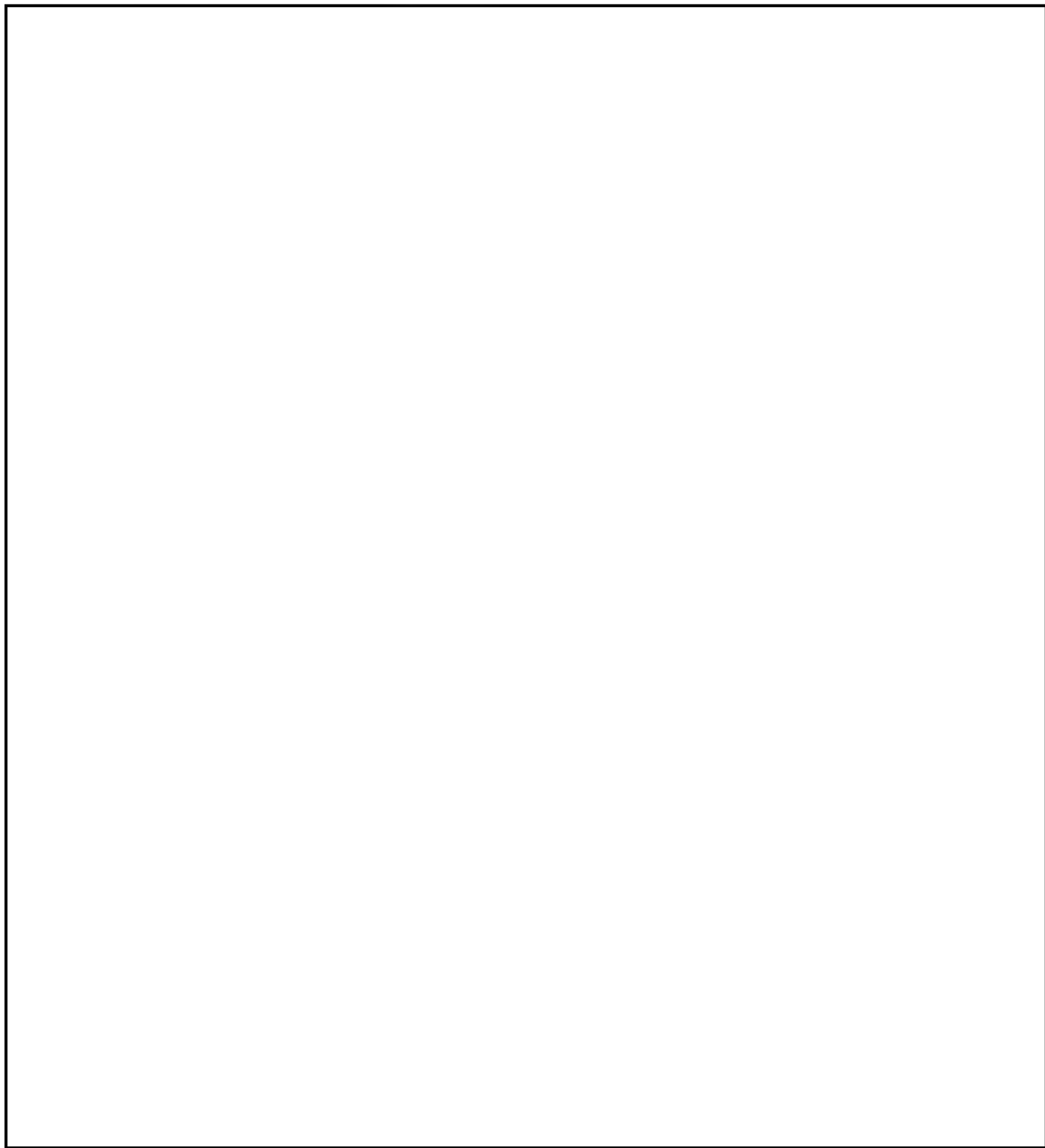
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A difference between the total of the items listed above and
the total

NY 65-14932



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NY 65-14932

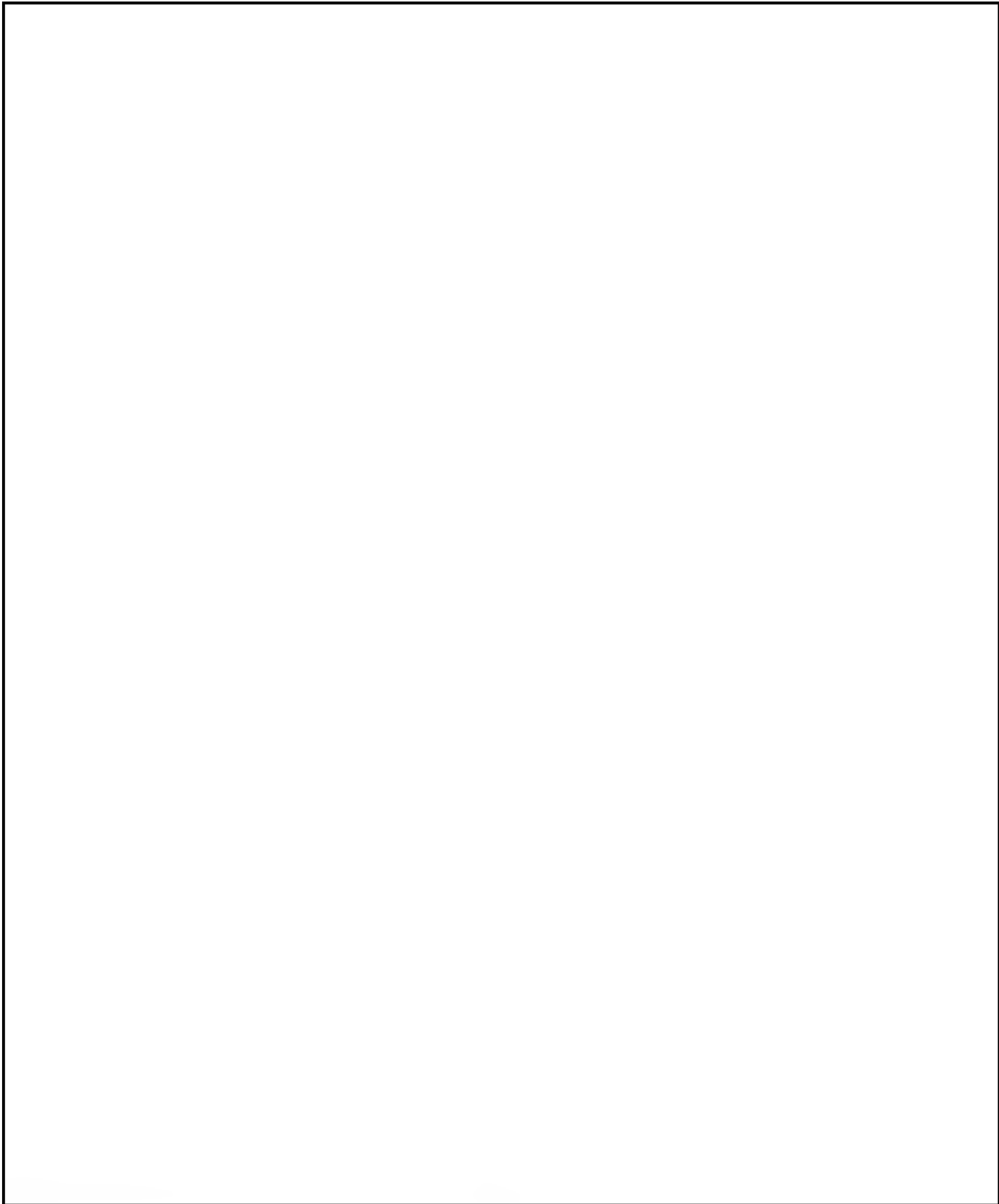
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NY 65-14932

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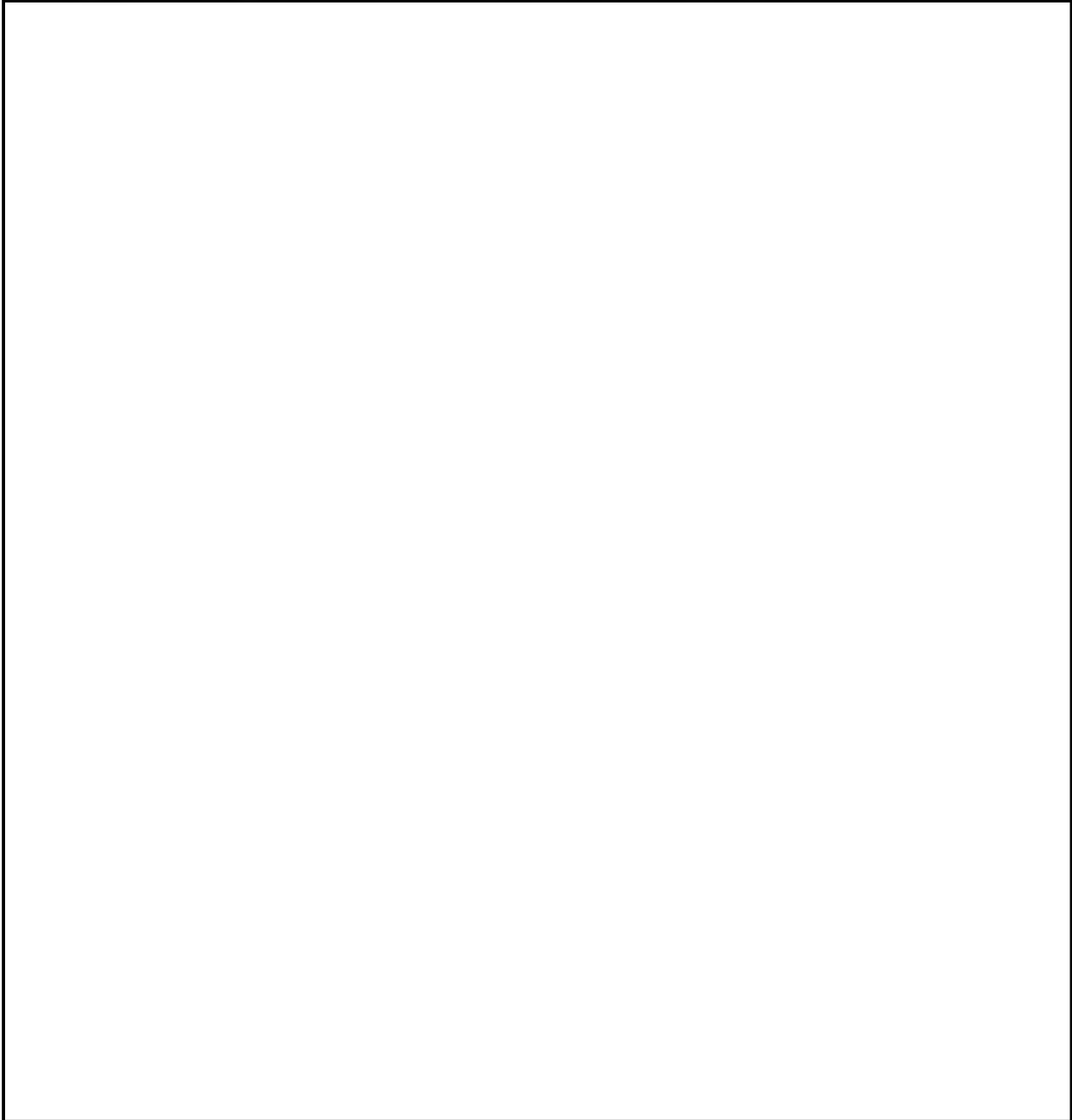
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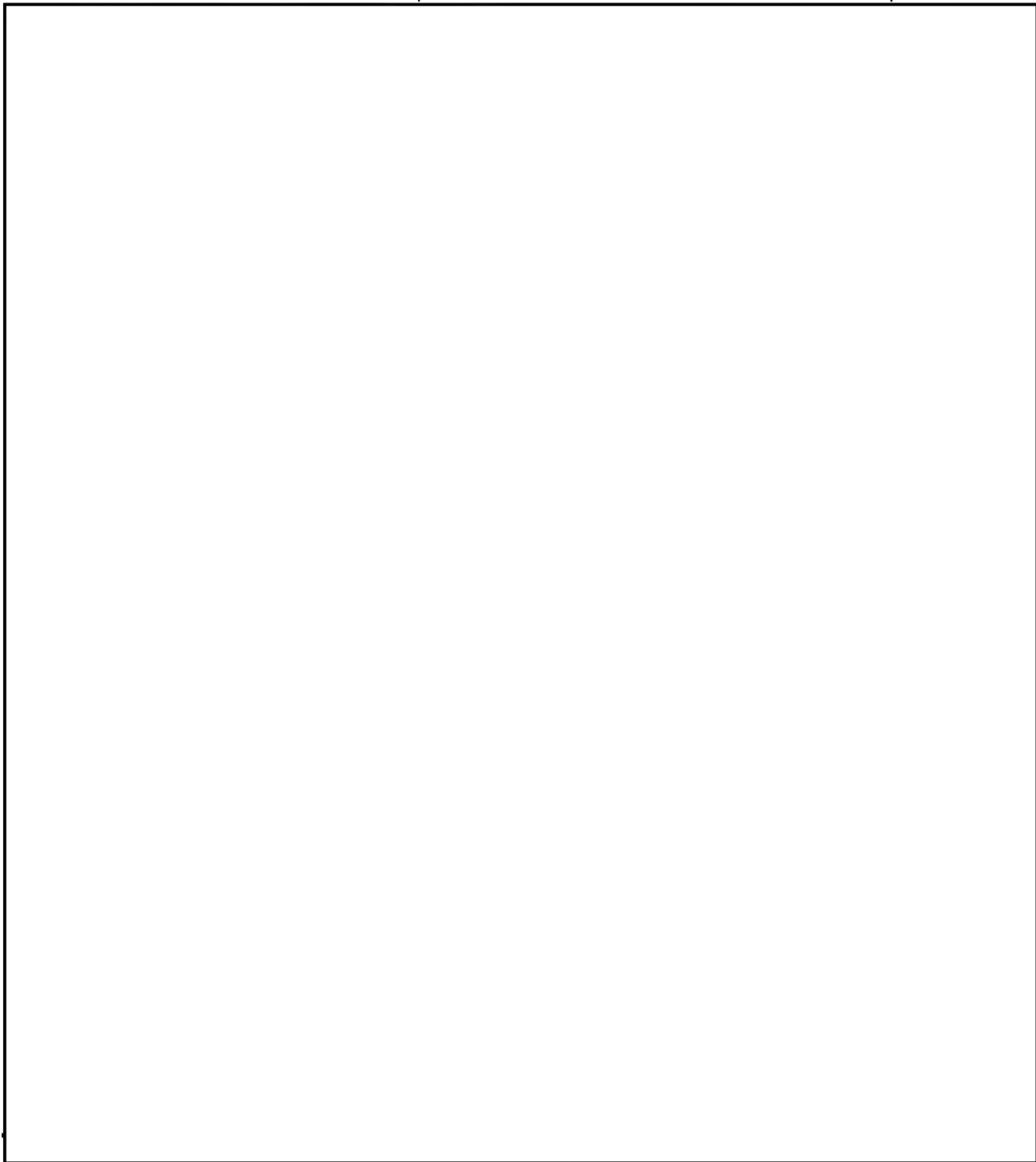
The items which have been located and identified are as follows:

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NY 65-14932

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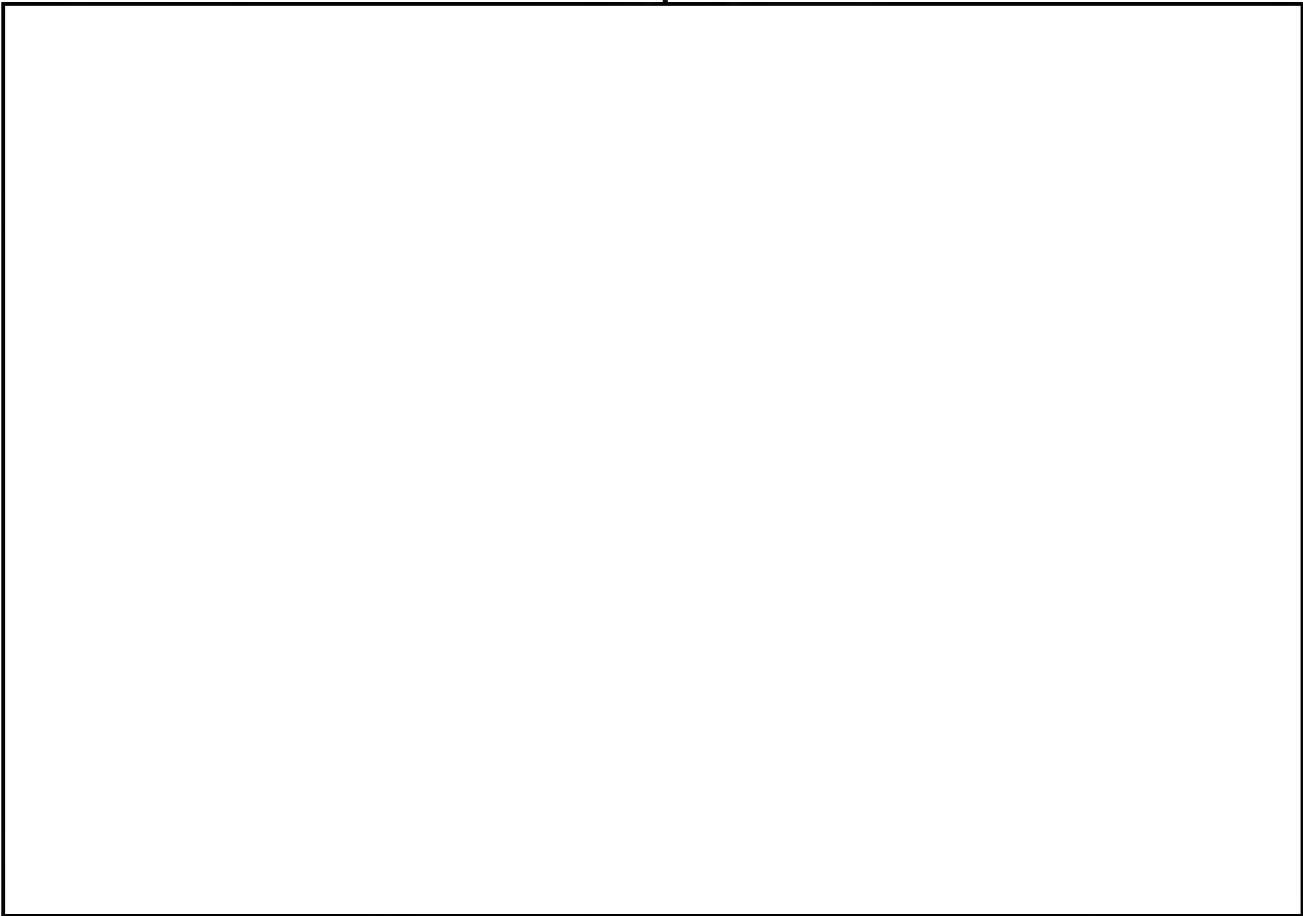
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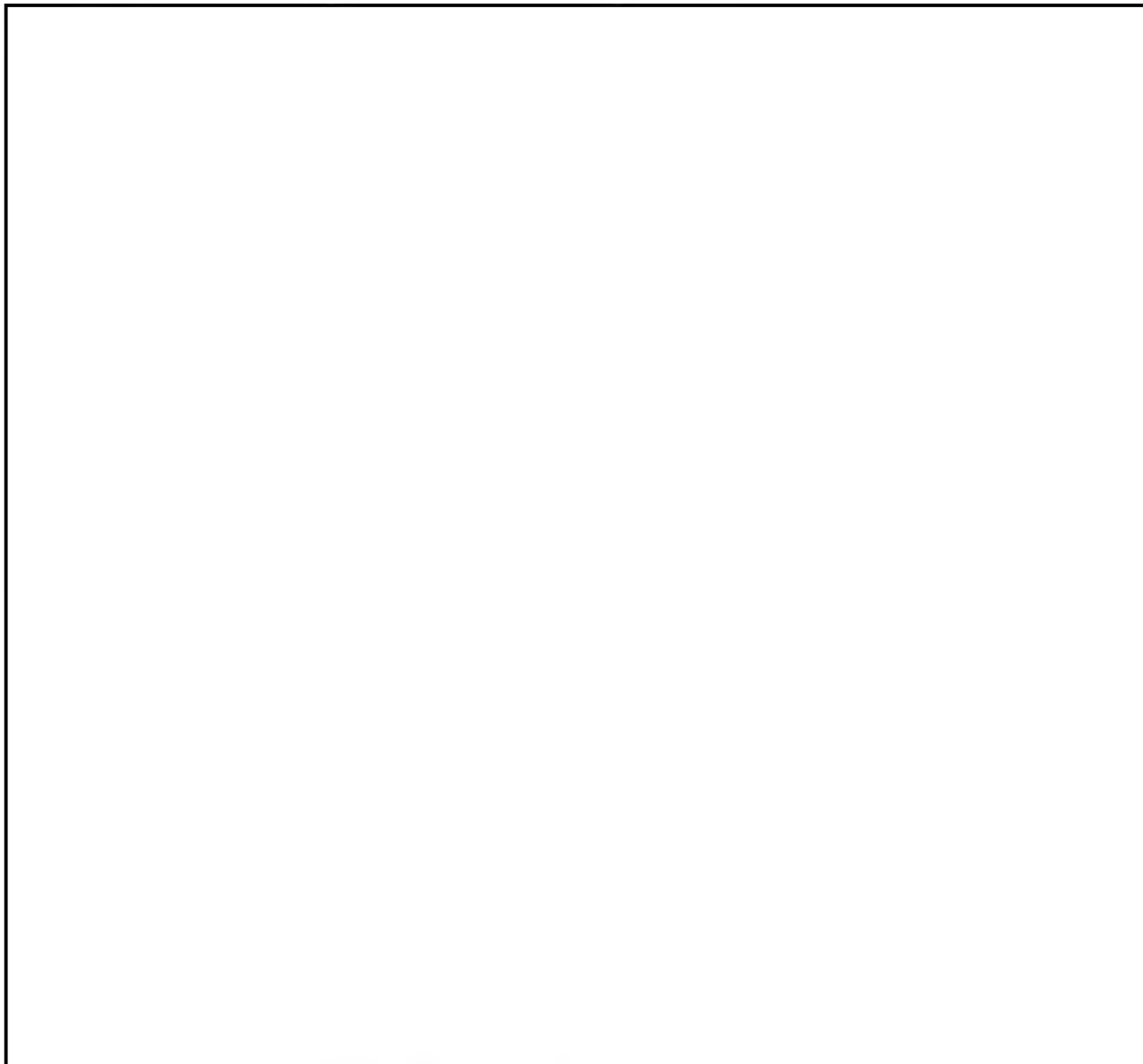


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The following are certain items which have been traced concerning which the results have been inconclusive:



NY 65-14932



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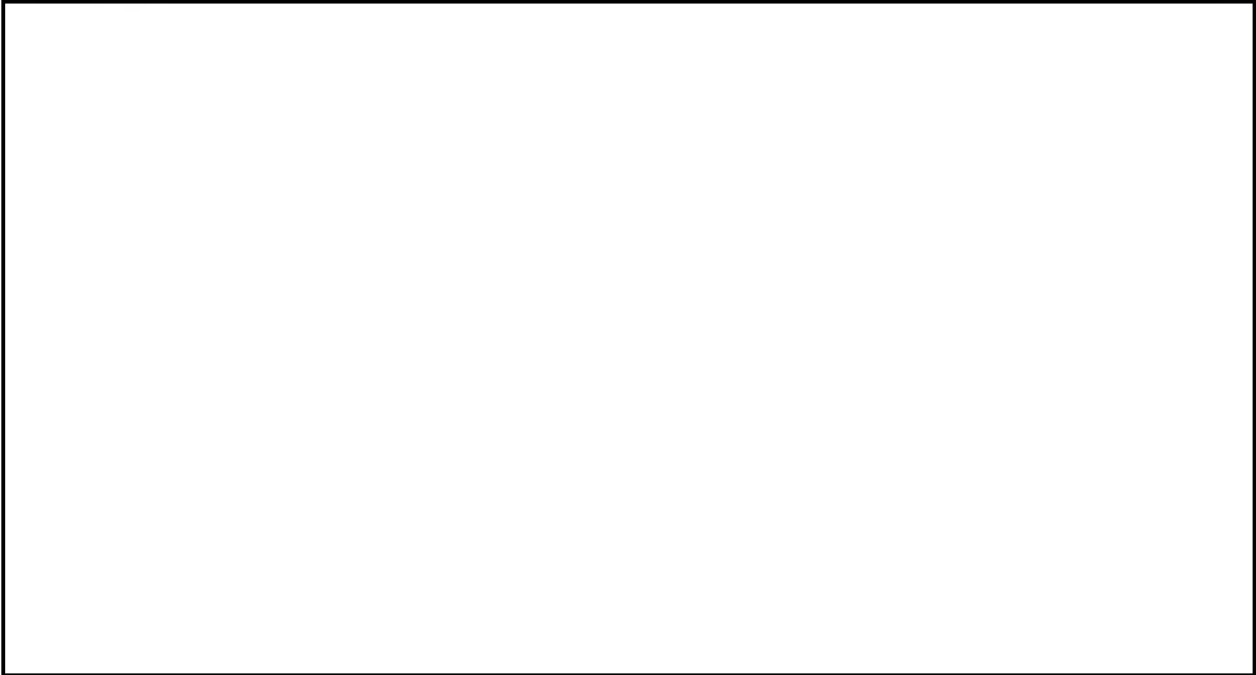
The above items have been set forth to show the difficulties



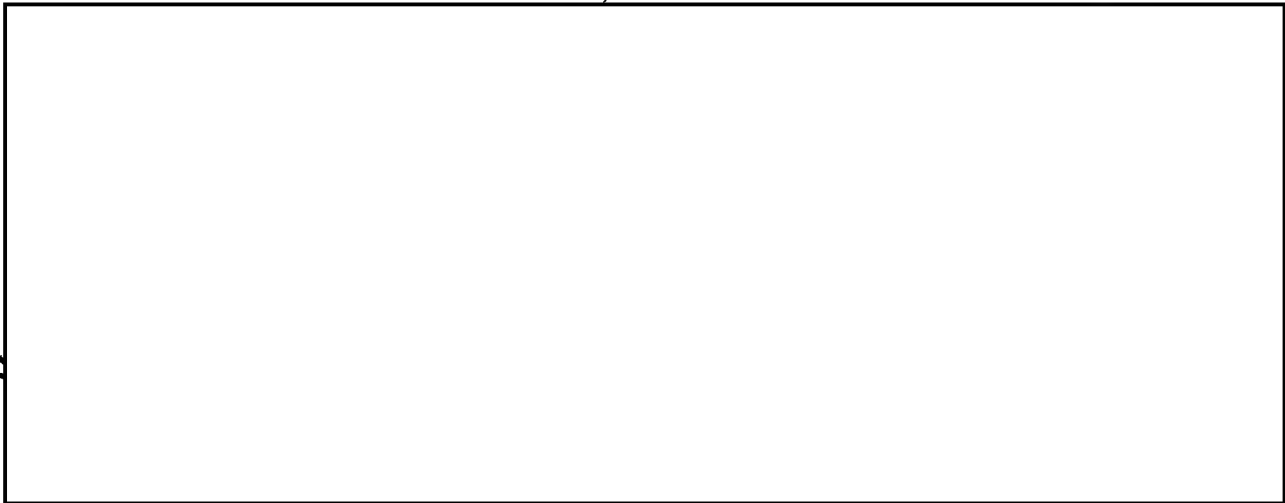
NY 65-14932



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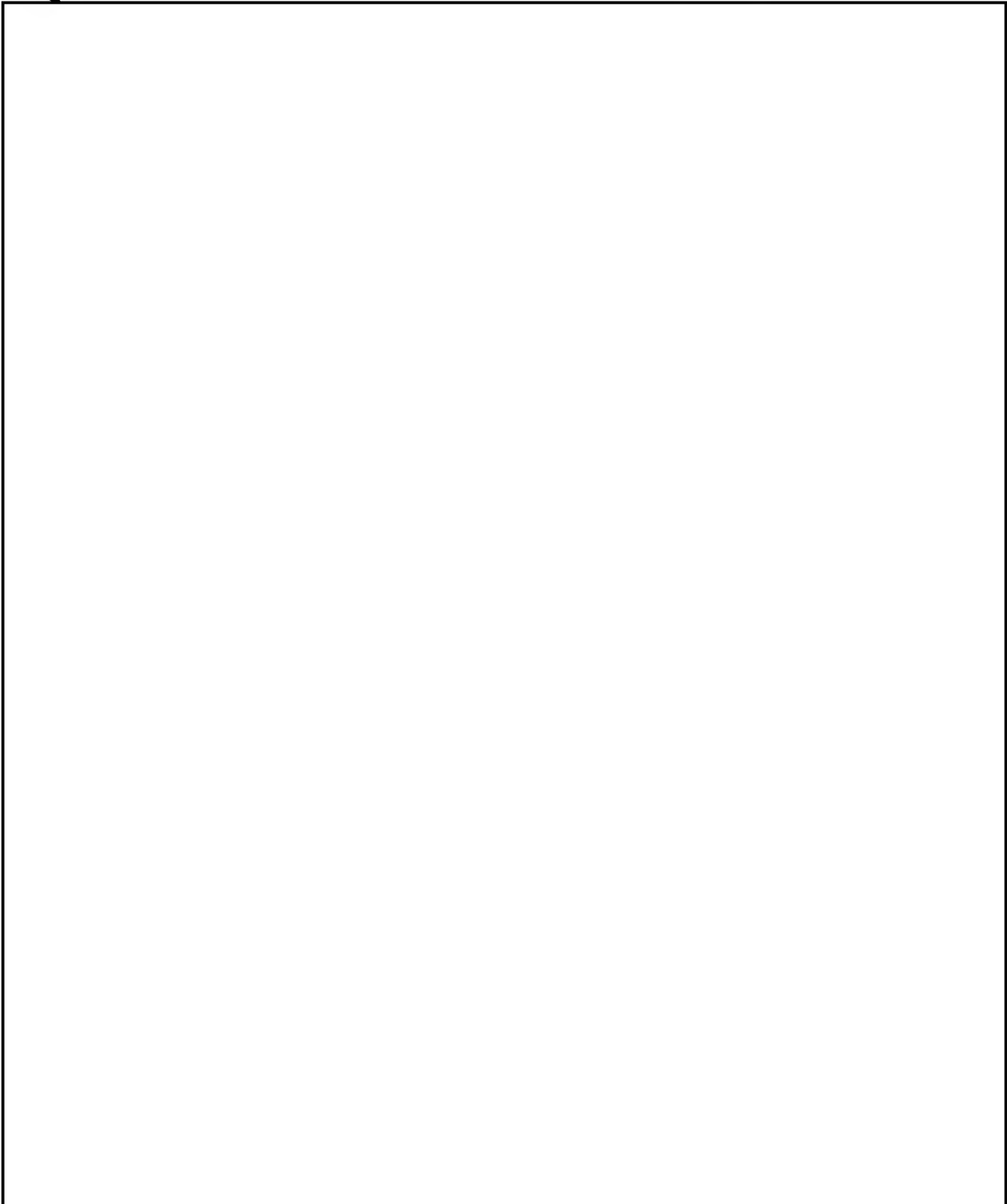
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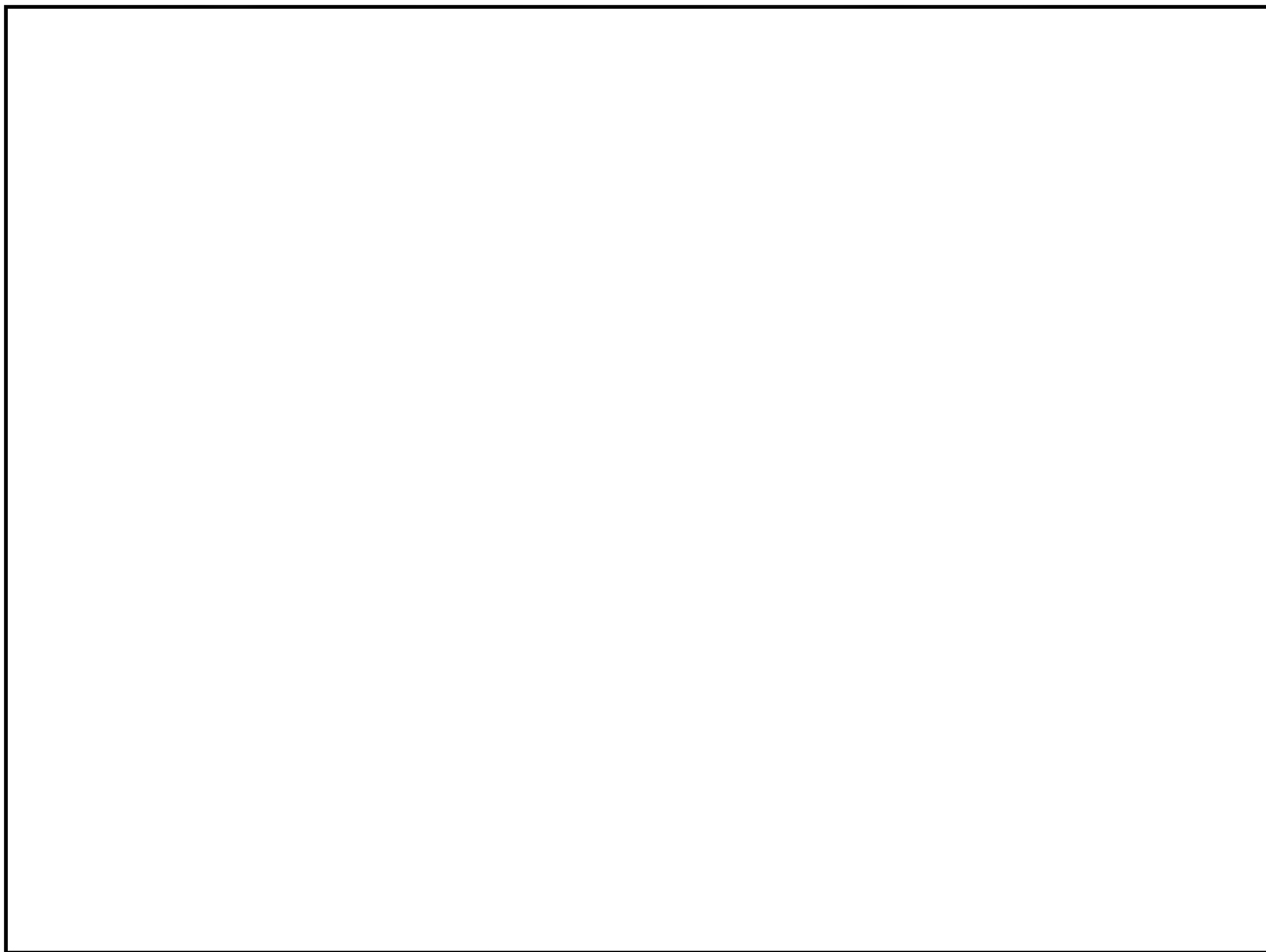
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NY 65-14932

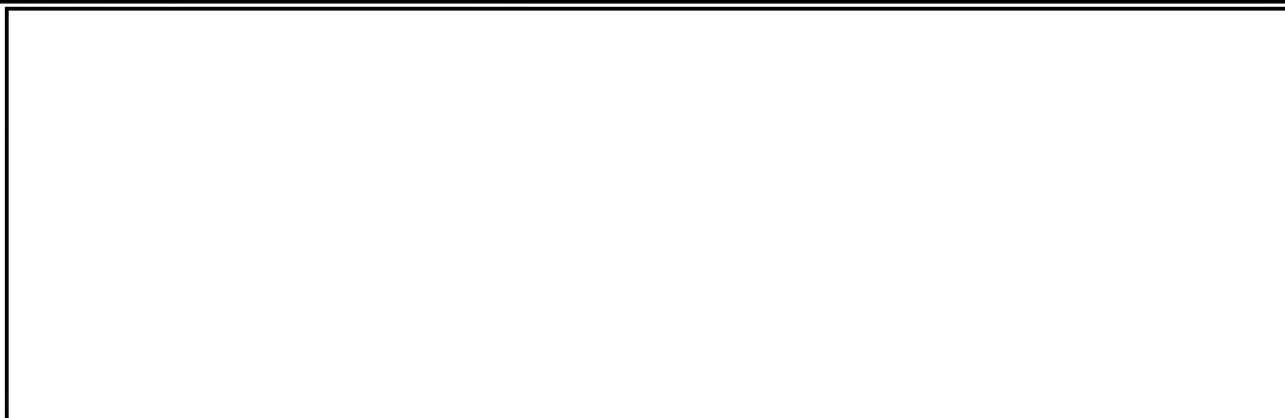
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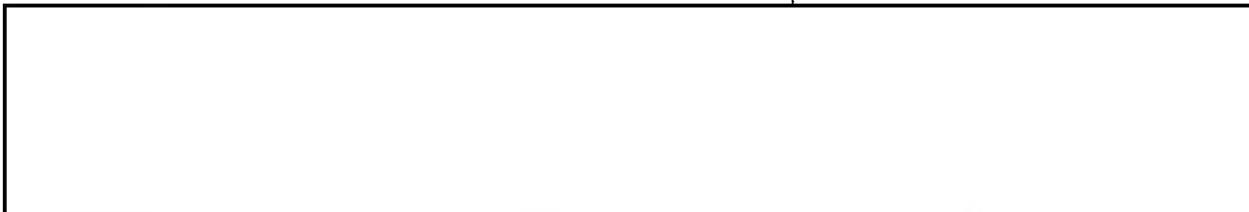
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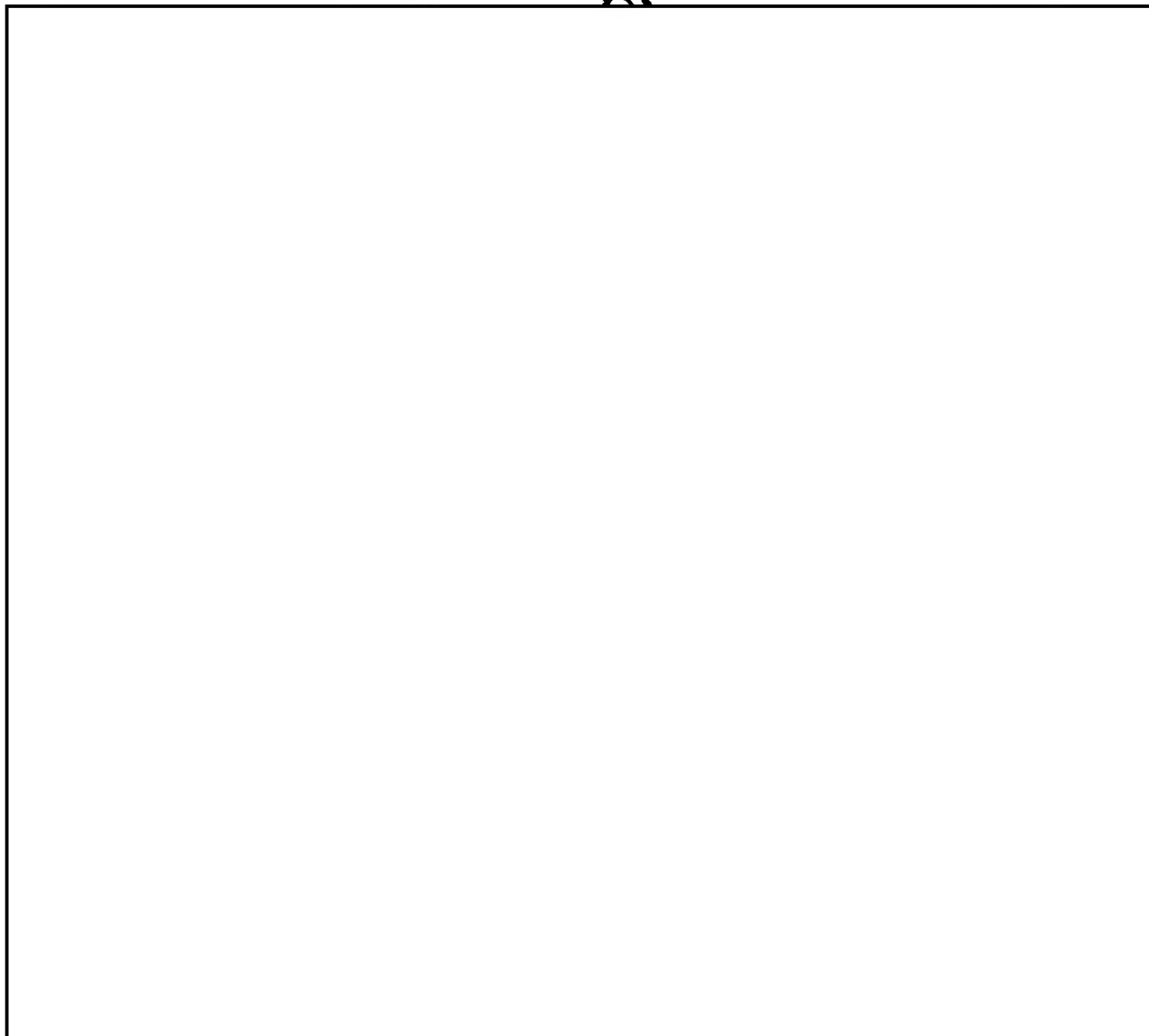


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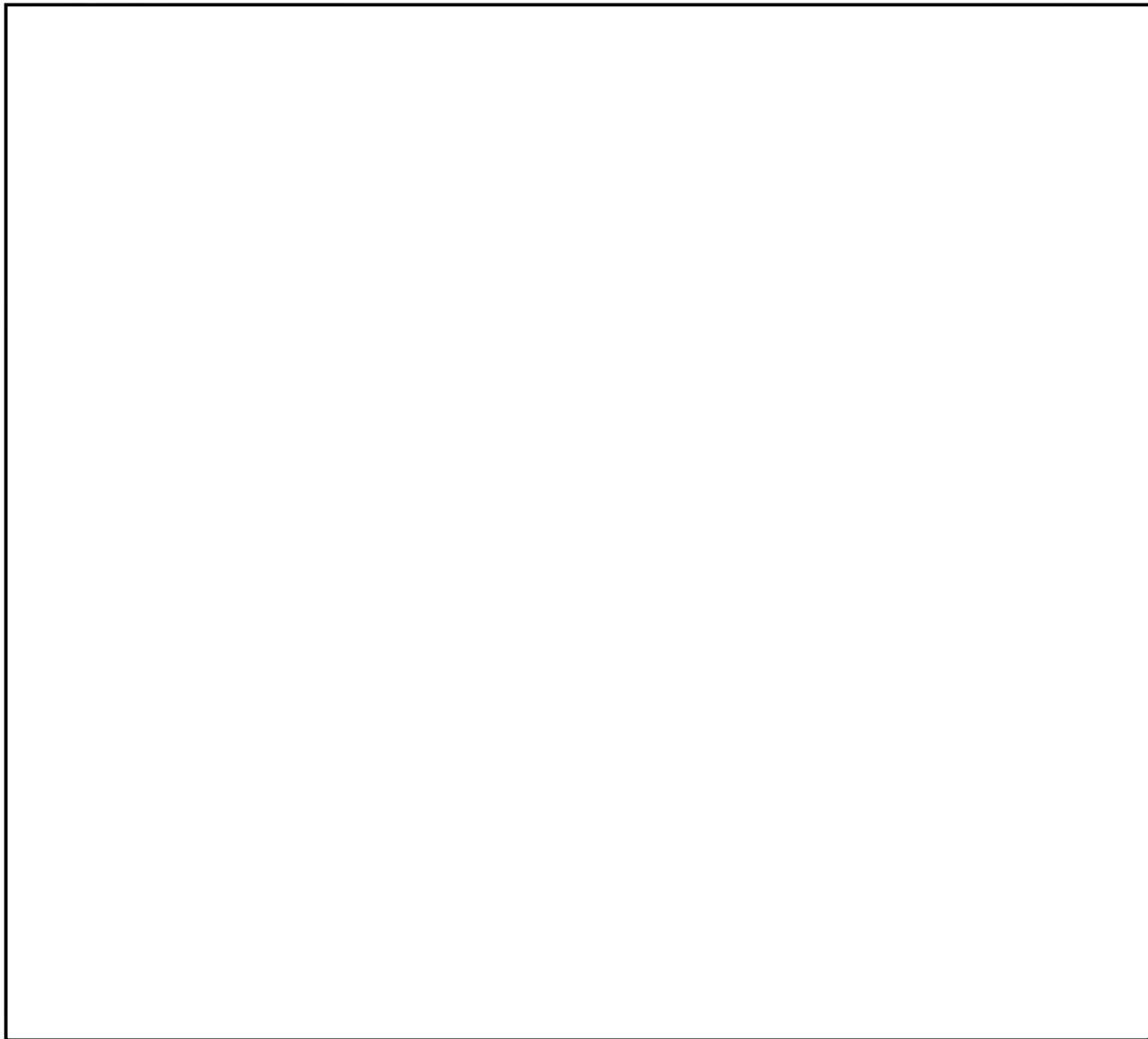


Information reported herein should not be disclosed except in a usual proceeding following the issuance of a subpoena.

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NY 65-14932



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An examination of the building directory at 165 Broadway reflected that LAWRENCE R. CONDON was located in Room 932 in that building along with thirteen other individuals and firms.



NY 65-14932

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many instances the titles are incomplete and in only a few of the instances was there any indication as to the court in which proceedings were held; however, the titles are listed below as they were observed together with the name of the court where such information was available.

<u>TITLE OF CASE</u>	<u>COURT</u>
MAYER (?) v. LERSBERG	New York County
HASELTINE v. FAY & MEYER	
WEX-TEX CORP.	JAMES JOYCE, Referee in Bankruptcy, Southern District of New York
KISHOFF	
MONUMENTAL	
AMERICAN MILLWORK CORPORATION	U. S. District Court, Southern District of New York
RUBIN KOSLOFF	U. S. District Court, Southern District of New York
MALINA	
WEGMAN v. REPUBLIC CAMERA	Court of Appeals, State of New York
MAYER v. GOLDENBERG	(All of these names were handwritten and some were not too legible and this item may be identical with the first item listed - MAYER v. LERSBERG)
MONE (?) DISTILLERS, ETAL	
STREISFELD v. BERNSTEIN	
A. FRIEDLAND	
PHINES v. PHINES (?)	New York County
CARRINDELL v. NY OMNIBUS CORP.	New York County
URAM v. KUTHLEE	
NEEDLES v. NEEDLES	
SAMUEL P. FUNER, Debtor	

NY 65-14932

<u>TITLE OF CASE</u>	<u>COURT</u>
BUCIO v. STONEY POINT BROWN	
MAJER v.	
BERKING v. BERKING	New York County
LEVEN v. BIRRELL	New York County
LIVINGSTON MILLS	
DAVID BROWN	
STEIN v. STEIN	New York County
BIRNBAUM v. BIONDI	
PLYMOUTH THREAD v. AIRMONT KNITTING & UNDERGARMENT	
EDELMAN v. GEIGER	
PERRYMAN BURNS COAL COMPANY v. MARZIGLIANO	
DAN v. CARROLL	U. S. District Court Southern District of New York
HOCHNICK (HOCHNICH)	
KOBLEN v. HERBERT	New York County.

Credit Bureau

The files of the Credit Bureau of Greater New York were checked for a record of ARCHIBALD L. PALMER and a credit report dated February 13, 1947, listed his residence as 930 5th Avenue, New York City. He formerly resided at 941 Ocean Avenue, Brooklyn, and at Bradley, New Jersey. The report reflects that his present wife is named RITA and that she is the widow of SAMUEL WITTY, a partner of WITTY BROTHERS, a clothing firm. She is also the widow of HARRY H. WEINBERGER, an attorney of Passaic, New Jersey, who died March 13, 1938.

The report reflects that ARCHIBALD PALMER was previously married and that his first wife's name was SOPHIE. PALMER is an attorney at 320 Broadway, New York City.

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The Credit Bureau report reflected that PALMER's credit record with his wife, SOPHIE, is satisfactory; however, Mrs. SAMUEL WITTY has an unsatisfactory paying record as did Mrs. HARRY WEINBERGER.

The following is a partial list contained in the files of the Credit Bureau of litigations against ARCHIBALD PALMER:

On April 1, 1949 he was sued in Second Manhattan Municipal Court, Docket 2899, for \$600.00 by HAROLD S. COHN for professional services. Attorney for COHN was S. SAFTER of 175 5th Avenue, New York City.

On September 27, 1947, PALMER was sued in First Manhattan Court, Docket #32780 for a \$1,000 check by NAICO Realty Company. (Name partially illegible and may not be correct). The attorney for NAICO was HALLE, HALLE & ROWEN, 225 Broadway.

On December 7, 1940 PALMER was sued by Modern Industrial Bank for \$415.00 on a loan.

On February 19, 1942, PALMER was sued by Great Bear Spring Company for \$32.39.

On August 23, 1941 PALMER was sued by WEISBERGER Moving and Storage for \$207.00.

On May 27, 1941, PALMER was sued by ELLA KRAUS for \$300.00.

On April 10, 1942, PALMER was sued by U. S. Fidelity and Guaranty Company for \$736.81.

On May 19, 1941, PALMER was sued by Brooklyn Trust for \$1,393.42.

On February 4, 1931 there was a judgment by CHAUNCEY H. LEVY vs. PALMER for \$5,191.20.

Confidential Informant T-11 of known reliability at the Brooklyn Trust Company, Brooklyn, New York, advised that ARCHIBALD PALMER was not sued by the Brooklyn Trust Company as reported by the Credit Bureau of Greater New York, but rather that he appeared as an Attorney for SHEPHERD, BENJAMIN Company in a suit in the amount of \$1,393.42 which case, inasmuch as it was coupled with another case involving a larger amount, was subsequently taken to the U. S. Supreme Court. Informant had no record of any transactions of the Brooklyn Trust Company with ARCHIBALD PALMER.

There is a number of other suits on record against Mr. PALMER.

The files of the Credit Bureau of Greater New York did not reflect dispositions of the above suits.

Confidential Informant T-9, of known reliability advised that he had had no inquiries concerning ARCHIBALD PALMER since 1938. Informant stated that there was an old record on a firm in which ARCHIBALD PALMER had been an officer. This was Expansible Trailer Corporation which was first located at 787 Park Avenue and subsequently in Room 14-B, at 405 East 54th Street, New York City. According to a report dated June 5, 1940, the officers and directors of this corporation were CARLETON BROWN, President, ROBERT W. RYLE, Vice President and ARCHIBALD PALMER, Secretary. This corporation was chartered in New York State May 20, 1938 with an authorized capital of 500 shares of no par common stock. The file reflected that CARLETON BROWN, the President, died in September, 1941. He had been described in 1940 as 43 years of age, married, and a native of Canada. He was not a U. S. citizen. BROWN was formerly associated with Split Coach Motor Corporation, York, Pennsylvania, and was also President of the History Institute of America, Inc., 405 East 54th Street, which was incorporated under New York laws January 15, 1936. Its business was producing history charts and etchings.

ROBERT RYLE was described in 1940 as 39 years of age, married, and native born. He was associated with Sanquort Silk Manufacturing Company, Inc., a Pennsylvania corporation, with offices at 40 East 34th Street, New York City. He was also Vice President of History Institute of America. He was also President and Treasurer of LE BAS, Inc., of 47 East 58th Street, New York City, incorporated under New York laws December 18, 1934.

The Expansible Trailer Corporation was stated to have a bank account at the 72nd and Madison Avenue branch of the National City Bank of New York but inquiry at that institution disclosed that there was no open account and that all records concerning former accounts maintained from May 21, 1938 until August 6, 1940 had been destroyed.

Confidential Informant T-9 produced a news clipping from a publication known as Women's Wear under date of December 18, 1942. This news item was date-lined on December 18, 1942 at Utica, New York as follows:

"ARCHIBALD PALMER, attorney of New York City, is serving a five day sentence in Utica jail imposed on him last February for Contempt of Court by Supreme Court Justice FRANK J. CREGG.

"Mr. PALMER reported at jail shortly before midnight last night. He spent a few hours in jail before he obtained a stay of judgment,

but his efforts to carry an appeal were denied by that Court recently.

"Sentence was imposed on March 5 on Mr. PALMER after a 15 day trial of a suit by DAVID LEVENTHAL against former directors of Utica Dry Goods Company with which Mr. LEVENTHAL had been associated. Mr. LEVENTHAL was represented by Mr. PALMER in that action.

"Justice CREGG charged Mr. PALMER had been 'arrogant, insolent and disrespectful to the Court'."

Informant referred to original clippings in the New York Daily News record dated March 7 and April 8, 1942; however, such clippings were not available.

Other Banks Checked

The following banks having branches in the vicinity of the residence and personal address of ARCHIBALD PALMER had been checked in an effort to locate an account with negative results:

- (1) National City Bank of New York
- (2) Corn Exchange Bank & Trust Company
- (3) Manufacturers Trust Company
- (4) Chase National Bank
- (5) Central Hanover Bank & Trust Company
- (6) Public National Bank & Trust Company
- (7) Brooklyn Trust Company

Referring to the Manufacturers Trust Company, there was located a closed account which was carried from September 2, 1921 until August 31, 1939 in the name of ARCHIBALD PALMER, Esquire - Lorraine Silk Store, Account No. 2907. The balance in this account was transferred to bankruptcy funds of the Southern District of New York.

With reference to the Public National Bank, Confidential Informant T-10 of known reliability at that institution, advised that ARCHIBALD PALMER represented the Associated Gas & Electric Company in a bankruptcy matter now pending.

SAHUEL MASIA

The Selective Service file of SAHUEL MASIA when examined at Local Board No. 741, White Plains, New York, reflected that he was an

NY 65-14932

attorney who was employed by ARCHIBALD PALMER at 2 Lafayette Street, New York. His social security number is 051-14-9519 and he appeared to be a graduate of St. Johns Law School, Brooklyn, New York. He estimated his income at \$34,000 a year and stated that he was a practicing attorney in brief and trial work. He was rejected for the Army in May, 1945. He owns his own home at 86 Central Parkway, Mt. Vernon, New York. His wife is Lillian. MASIA was born January 4, 1908 in New York City and was described as 53, 138 pounds, grey eyes, blond hair and light complexion.

- P E N D I N G -

NY 65-14932

- L E A D S -

THE NEW YORK DIVISION

At New York, New York.

Will report results of the tracing of [REDACTED]
[REDACTED] which has not as yet been completed by various New York
banks.

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NY 65-14932

- CONFIDENTIAL INFORMANTS -

The confidential informants mentioned in the report of Special Agent (A) JOHN A. RUEHLE dated Sept. 23, 1949, are identified as follows:

T-1

T-2

T-3

T-4

T-5

T-6

T-7

T-8

T-9

T-10

T-11

b7D

607 U. S. Court House
New York 7, New York

65-14932

~~STRICTLY CONFIDENTIAL~~ (U)

September 22, 1949

Director, FBI

Re: JUDITH COPLON
ESPIONAGE - R

Dear Sir:

Reference is made to the report of SA (A) JOHN A. RUEHLE dated September 23, 1949, at New York City.

The following information is being set forth herein inasmuch as it is information from the files of the New York Office regarding certain of the persons mentioned in the attached report. It is not desired to include such information in the report inasmuch as it is somewhat inconclusive and does not relate directly to the allegation being reported.

SAMUEL MASIA

The information set forth in the attached report regarding SAMUEL MASIA was obtained as a result of an investigation in the case entitled - "GREGORY, Espionage - R" and was conducted by Special Agent ARTHUR W. RICHARDSON, Jr. Investigation resulted from a memorandum by SA L. MORRIS BEST dated February 13, 1947, in which he stated that he had obtained information from an informant that a toll call had been made from a telephone listed to FANNY CARELICK to telephone Mt. Vernon 1888 on October 30, 1945. FANNY CARELICK has been indicated to have been in contact with RAY ELSON, a subject of the GREGORY Case. Investigation conducted concerning SAMUEL MASIA was inconclusive inasmuch as Confidential Informant [] advised on February 25, 1947, that as of October, 1945, the telephone number Mt. Vernon 8-1888 was listed to SAMUEL MASIA, 86 Central Parkway, Mt. Vernon, New York. This same informant advised also that in October, 1945, the telephone number 8-1888 was listed to PAUL CRAMES, 293 Westchester Avenue, Mt. Vernon, New York.

ABRAHAM MONCHARSHI
and NYE & NISSEN

The files of the New York Office reflect no record on ABRAHAM MONCHARSHI as spelled in the attached report; however, the files reflect

JAR:BN
65-14932

65-14932-580

NY 66-14832
Letter to Director

September 22, 1949

that ABRAHAM MONCHARSH of NYE & NISSEN Company, Inc., San Francisco, California, was convicted by the Bureau of Fraud Against the Government, Bureau File #46-5586. Files reflect that his conviction was confirmed June 21, 1948 by the 9th Circuit Court of Appeals, that a petition for rehearing was denied by the Circuit Court of Appeals July 22, 1948, and that on August 20, 1948, MONCHARSH filed an appeal to the U. S. Supreme Court. The file reflected that no action had been taken on this Appeal as of February 21, 1949.

It will be recalled that ARCHIBALD PALMER received a total of \$2500.00 from KEENAN, KANFER, WEINER and MURPHY, a firm apparently in Washington, D. C., inasmuch as the checks were drawn on the Union Trust Company of the District of Columbia. It will be recalled that these checks were "in full payment of all forwarding fees regarding ABRAHAM MONCHARSH and NYE & NISSEN".

NORMAN GERSTANZANG

New York files reflect one NORMAN GERSTANZANG, Vice President, Secretary and Treasurer of ABRAHAM GERSTANZANG, Inc., who was involved in the case entitled "BLAMAK, New York Area, JOHN PORTER MONROE, Was., ETAL, Fraud Against the Government and Miscellaneous". GERSTANZANG was one of several persons in the dress business in New York City who was buying fabrics and piece goods illegitimately and acting as a middle-man and selling to manufacturers at 5¢ per yard profit plus a profit on the sale of the finished product. In one deal under investigation in the case, GERSTANZANG made \$14,000.00. However, he cannot be identified with the NORMAN GERSTANZANG who with MAX GAPIAN paid ARCHIBALD PALMER the sum of \$500.00.

LLOYD G. WEINBERGER
HARRY WEINBERGER
RITA WEINBERGER
DOUGLAS H. IANE

The files of the New York Office reflect voluminous reports in the case entitled "J. WARREN DAVIS, Former Judge, U. S. Circuit Court of Appeals, Third Circuit, Misconduct in Office." Specific reference is made to the report of F. L. MCCARRAGHY dated [redacted] at New York City, [redacted] during the course of the investigation of Judge LANTON advised that \$30,000.00 had been paid to one

b7D

NY 65-14932
Letter to Director

September 22, 1949

FRANK COHEN to be used in influencing Judge MANTON in his decision in [redacted] said that a \$2,500 check was paid to FRANK COHEN by HARRY WEINBERGER in WEINBERGER's office in New Jersey. Mention was also made of one DOUGLAS LANE, an employee of WEINBERGER's, either an accountant or bookkeeper who had possession of certain information regarding the recording of conversations with FRANK COHEN. HARRY WEINBERGER's wife, RITA WEINBERGER, was mentioned as also apparently involved in the [redacted] inasmuch as one of the checks which was paid to COHEN was signed by her.

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Reference report dated July 16, 1939, also makes reference to LLOYD C. WEINBERGER, son of HARRY WEINBERGER.

HARRY WEINBERGER's address was stated on Page 23 to be 197 Passaic Avenue, Passaic, New Jersey.

The above information is a brief excerpt from a great deal of information in this file regarding the WEINBERGER family.

As will be reflected from the attached report, the wife of ARCHIBALD PALMER was once Mrs. HARRY WEINBERGER (Mrs. RITA WEINBERGER). It is further noted that LLOYD WEINBERGER, according to the credit file on RITA WITTY of the Chemical Bank and Trust Company has past connections in Passaic, New Jersey.

It appears highly probable that these individuals are identical with the persons mentioned in the case entitled - "J. WARREN DAVIS, Former Judge, U. S. Circuit Court of Appeals, Third Circuit, Misconduct in Office."

In the same case there is considerable additional information on the WEINBERGER family set forth in the report of Special Agent JOHN GLEASON dated September 1, 1949 at Newark, New Jersey.

Other Individuals

Concerning the remainder of persons who received checks from ARCHIBALD PALMER or who made payments to him, unless some specific reference has been made herein, there was no record in the New York indices on such persons or records appearing in the New York files could not be identified with these individuals.

Very truly yours,

EDWARD SCHEIDT, SAC

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, New York

FROM : Director, FBI

SUBJECT: JUDITH COPLON
ESPIONAGE - R
(Bufile 65-58365)

DATE: September 21, 1949

~~MR. SCHEIDT~~
~~MR. BELMONT~~
...MR. WELLMAN
...MR. COLLIER
INMENTVILLE
...MR. HILSCOS
...MR. HUGO E I
er 21, 1949
...MR. ...
...MR. ... ADVISOR
...NE. VOTZ
...CHIEF CLERK
...PROPERTY CLERK
...TRAINING UNIT

Reference is made to the report of Special Agent T. Scott Miller, Jr. dated March 28, 1949, at New York.

It is noted that one of the five copies of this report submitted to the Bureau contains pages of New York case file no. 26-10462 in place of the proper pages #21 and 24 through 31 inclusive.

The Washington Field and New York Offices should examine their copies and determine whether or not they are in proper order. The New York Office should also determine whether the copy furnished to Special Assistant Attorney General Donegan is in order.

It is requested that New York furnish the Bureau with corrected pages for the incorrect copy.

cc - Washington Field

NY when 65-14932 all OK
" " 26-10462 " 7

Mr. Donagan's copy OK

65-14932-581
FBI - NEW YORK
SEP 22 1949
J.S. Miller

Director, FBI

September 23, 1949

WJG SAC, New York

JUDITH COPLON
ESPIONAGE - R

Enclosed herewith are copies of a report of SAA John A. Rushie in the captioned matter, dated September 23, 1949.

It is to be noted that one copy of this report is designated for Special Assistant to the Attorney General T. J. Donegan. However, it is not being furnished to Mr. Donegan at this time and the Bureau is requested to advise if it makes the entire report available to the Department or if the Bureau deletes the administrative page in order that this office may be consistent in furnishing Mr. Donegan with the same information as the Bureau furnishes the Department.

Enclosure - 5

cc - Washington Field (Enc-4)

RRG:IM
65-14932

65-14932 - 582-8

65-14932-583

See serial 65-14932-576 - Serials identical

65-14932-583

65-14932

607 U. S. Court House
Foley Square
New York 7, New York

September 28, 1949

Mr. Edward J. Shaughnessy
District Director
Immigration and Naturalization Service
70 Columbus Avenue
New York 23, New York

Attention: Mr. B. J. Kelley

Dear Sir:

Reference is made to the conversation between Mr. B. J. Kelley and Special Agent Lester O. Gallaher of this Bureau on September 28, 1949 regarding certain material which is desired for photostating by this office. It is requested that the passenger and crew manifest lists of the SS Wisconsin, which arrived at the Port of New York on July 24, 1948 as contained in book number 162 91, pages 13 through 20, be furnished to Mr. Ralph Murdy in order that this material may be photostated.

It is not contemplated that this material will need to be certified by your office.

Very truly yours,



EDWARD SCHEIDT
Special Agent in Charge

LOG:MMCM

Re: Jean Contant

65-14932-584

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
SEPTEMBER 28, 1949

Transmit the following Teletype message to: BUREAU

URGENT

JUDITH COPLON, ESP. - R. SAAG RAYMOND P. WHEARTY ADVISED THAT HE AND PALMER APPEARED BEFORE JUDGE BONDY TODAY AND REARGUED PALMER'S MOTIONS TO SUPPRESS THE EVIDENCE AND FOR INSPECTION OF GRAND JURY MINUTES. AFTER ARGUMENT, BONDY CLEARLY INDICATED HE DID NOT THINK MUCH OF PALMER'S MOTIONS AND INTIMATED HE WAS GOING TO RULE AGAINST PALMER BUT WITHOUT PREJUDICING PALMER'S RIGHT TO MAKE THE SAME MOTIONS BEFORE TRIAL JUDGE. BONDY STATED, HOWEVER, THAT HE WANTED TO BE FURNISHED WITH THE GRAND JURY MINUTES OF THE NY INDICTMENT SO HE CAN DETERMINE IF SUFFICIENT FACTS WERE PRESENTED TO THE GRAND JURY FOR THE INDICTMENT. SAAG FRED STRINE FURNISHED JUDGE BONDY WITH THESE MINUTES. WHEARTY TOLD PALMER ABOUT JUDGE KNOX SETTING NOV. NINE, FORTYNINE, AS TRIAL DATE AND PALMER SAID THAT HE HAD NO OBJECTION AGAINST GOING TO TRIAL AT THAT TIME. WHEARTY ADVISED THAT THERE WOULD PROBABLY BE NO FURTHER HEARINGS ON THIS MATTER PRIOR TO TRIAL DATE.

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HILSBOS
MR. HUGES
MR. KENNEDY
MR. MARCHESSAULT
MR. McGRATH
NIGHT SUPERVISOR
MR. RING
MR. TUOHY
MR. WATSON
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

SCHEIDT

TSM:GD
65-14932

Approved: ES
Special Agent in Charge

Sent 10³⁴ P M

Per ES

65-14932-585

New York, New York
September 29, 1949

MEMO :

Re: JUDITH COPLAN

Espionage - R

Mr. PETER RAMUNDO, who resides at 671 West 193rd Street, Apartment 2H, New York City, was interviewed on September 28, 1949 at his shoe repair shop located at 4500 Broadway, N.Y.C.

Mr. Ramundo stated that he is the owner and operator of this shoe repair shop and that he has worked here for about the past thirteen years. Mr. Ramundo said that his usual hours of business are from 8:00 AM to 8:00 PM daily except Sunday. He advised that he is the only worker in this shop and that he has not employed any other individual to

65-14932-586-7

FBI - NEW YORK
SEP 29 1949

65-14932

T. S. Sullivan

assist him in his work during the past thirteen years.

Mr. Ramundo stated that he does not know the location of any Bickford's restaurant in the general area or vicinity of his shoe repair shop; that he does not know the location of any Bickford's restaurant anywhere near the neighborhood where his shoe repair shop is located. Mr. Ramundo said that during February, 1949, he did not direct any woman to a ladies' room in any Bickford's restaurant.

A written statement, signed by Mr. Ramundo, incorporating the above information was obtained from him on September 29, 1949.

A photograph of Judith Coplan was exhibited to Mr. Ramundo and he was asked if he ever saw

her before. Mr. Ramundo stated that he does not recall ever seeing her in person before. Mr. Ramundo added that he has seen her photograph in the newspaper and has read articles concerning her.

Walter P. Gavin, SA

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, New York
 FROM : Director, FBI
 SUBJECT: JUDITH COPLON
 ESPIONAGE - R

DATE: September 29, 1949

MR. SCHEIDT
 MR. BELMONT
 MR. WHELAN
 MR. COLLIER
 MR. TOLSON
 MR. FUCHS
 MR. LADD
 MR. CLEGG
 MR. GLAVIN
 MR. HARBO
 MR. MOHR
 MR. ROSEN
 MR. TRACY
 MR. WATSON
 MR. WOLF
 CHIEF CLERK
 PROPERTY CLERK
 TRAINING UNIT

Reference is made to the report of Special Agent John A. Ruehle, dated September 23, 1949, at New York City.

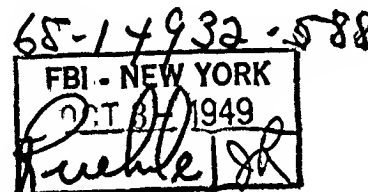
You may furnish to Special Assistant to the Attorney General T. J. Donegan, one copy of the referenced report deleting the heading from the top of page two "Administrative Section". You should also change the heading of this report to reflect that the office of origin is New York City and that the report was made at New York City. On page three, the column headed by the word "Balance" should be changed to read "Deposits".

The Washington Field Office should also make these changes on the copies furnished to that office. The Bureau's copies of this report have been changed in accordance with the above.

In connection with the section headed by you "Administrative Section", your attention is directed to item #13 on page four of Bureau Bulletin #34, dated July 8, 1949, regarding report writing which instructed that information received from banks while quasi-confidential should where pertinent and factual be included in the investigative portion of the report.

cc - Washington Field

change
 made 10/4/49
 OR



NEW YORK 8 FROM WASH FIELD

3

5-14 PM

DIRECTOR AND SAC

U R G E N T

CHARLES RECHT, WA, IS - R. JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP -
R. RENYLET DATED AUGUST TWENTYSIX, LAST, AND REPORT OF SA EDGAR C.
FOREST DATED AUGUST TWENTYSIX, LAST IN RECHT MATTER, WHICH ON PAGE
TWENTYTHREE, REFLECTS THAT ON JUNE TWENTYTWO, LAST, [REDACTED]
ADVISED THAT AN INDIVIDUAL KNOWN ONLY AS "ARCHIE" CONTACTED RECHT AND
INSTRUCTED HIM TO GO OUTSIDE AND CONTACT HIM AT METROPOLITAN EIGHT ONE
SEVEN EIGHT. WFO CI ADVISES ABOVE NUMBER LISTED TO PUBLIC TELEPHONE IN
WILLARD HOTEL. "ARCHIE" UNDOUBTEDLY IDENTICAL WITH ARCHIBALD PALMER,
COPLON-S ATTORNEY, WHO WAS AT THAT TIME REGISTERED AT WILLARD HOTEL.

HOTTEL

BUREAU ADVISED

HOLD PLS

65-14932-589
al

(6)

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100-7951

b7D

65-14932-590

See serial 65-14932-592 - Serials identical

**Federal Bureau of Investigation
United States Department of Justice**

New York 7, New York

MEMO

October 5, 1949

Re: JUDITH COPLON
ESPIONAGE - R.

The following investigation was conducted by the writer on September 28, 1949:

At the Immigration and Naturalization Service, 70 Columbus Avenue, New York City, Mr. B. J. KELLEY furnished the passenger manifest and crew list of the SS Wisconsin which reflects the arrival of that vessel in the Port of New York on July 24, 1948 having sailed from LeHavre on July 14, 1948. This material is contained in book #162 91 bearing date July 24, 25, 1948 on pages 13 through 20. The passenger manifest lists JUDITH COPLON as a first class passenger aboard the SS Wisconsin. Her address is shown as 178 Ocean Parkway, Brooklyn, New York, age 27 years, female, single, passport #204.249, place of birth Brooklyn, New York. On her arrival, she had the following luggage:

4 Handbags
1 Box

A search of the complete passenger list and crew listing fails to disclose that anyone by the name of JEAN CONSTANT traveled aboard this vessel during the specified voyage either as a passenger or a member of the crew.

LESTER O. GALLAHER, SA

LOG:MMcM
65-14932

65-14932-591

FBI - NEW YORK
OCT 5 1949
JS Miller

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
OCTOBER 5, 1949

Transmit the following Teletype message to:

BUREAU...URGENT

ATTN H. B. FLETCHER

JUDITH COPLON, ESP-R. [] ADVISED TODAY HE LEARNED ON OCTOBER THIRD THAT SUBJECT IS LEAVING NYC FOR VACATION OF APPROX ONE WEEK DURATION. AS FAR AS INTT KNOWS SHE WILL DEPART OCTOBER SIXTH BUT HER DESTINATION REMAINS UNKNOWN. NO SURVEILLANCE WILL BE MAINTAINED BY THIS OFFICE, HOWEVER, CLOSE CONTACT WILL BE MAINTAINED WITH [] AND BUREAU WILL BE KEPT ADVISED.

b7D

SCHEIDT

AA:IM
65-14932

RDR

Approved: [Signature]
Special Agent in ChargeSent 936 M Per [Signature]

65-14932-592

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
OCTOBER 5, 1949

Transmit the following Teletype message to:

BUREAU
WASHINGTON FIELD....URGENT

ATTN H. B. FLETCHER

JUDITH COPLON, ESP-R. [] ADVISED THAT IN CONVERSATION BETWEEN SUBJECT AND ARCHIBALD PALMER LATTER STATED HE WANTED TO TELEPHONE BRAXTON O. WATSON. JUDITH STATED SHE THOUGHT TWO HUNDRED DOLLARS QUOTE AS A STARTER UNQUOTE WOULD BE A FAIR AMOUNT. PALMER SUGGESTED A LARGER AMOUNT. DURING A LATER CONVERSATION PALMER IDENTIFIED WATSON BY TELEPHONE EXCHANGE QUOTE RANDOLPH UNQUOTE AND TWO DIGITS OF THE NUMBER AS QUOTE ZERO NINE UNQUOTE. NYC DIRECTORIES NEGATIVE. WASHINGTON, DC, DIRECTORY REFLECTS ONE BRAXTON O. WATSON, RANDOLPH SIX SIX ZERO NINE AS RESIDING AT ELEVEN RIGGS ROAD, NE, WASHINGTON, DC. INDICES NYC NEGATIVE. WFO REQUESTED TO CHECK INDICES ON WATSON. POSSIBLY CONNECTED WITH WATSON REPORTING AGENCY.

SCHEIDT

AA:IM
65-14932

RRZ
2

[Signature]

Approved: _____
Special Agent in Charge

938
Sent _____ M. Per *[Signature]*

65-14932-593a

65-14932-594

See serial 597 - Serials identical

DIRECTOR, FBI

October 13, 1949

CUT HOTTEL, S.C., WASHINGTON FIELD

JUDITH CAPTON
ESPIONAGE - R

Re New York teletype dated October 5, 1949 requesting WFO
furnish information concerning BRAXTON J. WATSON, 11 Riggs Road, N. E.,
telephone Randolph 6609, of the Watson Reporting Agency, Room 306,
805 G. Street, N. W.

The files of the WFO reflect that Confidential Informant C-425
advised on June 18, 1949 that SAM KRAPSUR of Tass News Agency contacted
RICK SASULY, representative of the Federal Press, and discussed obtaining
transcripts of the CAPTON court records containing copies of FBI reports.

On the same date SASULY contacted WATSON who advised that he had an
extra 500 page volume of verbatim FBI reports which he would sell. WATSON
advised SASULY that the Russian Government had called him, that he didn't
have another extra copy, and that he would charge plenty if he copied it
over for them.

The above information was previously furnished to the Bureau by
WFO letter dated June 21, 1949 under caption: RICHARD SASULY, was.;
INTERNAL SECURITY - C, Bureau File #100-256142.

TAM:utk
65-5123
CC:New York

Searched _____
Indexed _____
Filed _____

Cut 65-14922-595
TS Miller-TM
A. Guignon *JA*

Federal Bureau of Investigation
United States Department of Justice
New York, New York

October 17, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. TETLAN
MR. W. J. W. V.
MR. W. J. W. V.
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

At approximately 10:00 am today, Mr. John Kelly and Mr. Raymond Whearty of the Department came to my office. They had come to New York for the purpose of appearing in court this morning when the GUBITCHEV-COPLON case was called on the criminal calendar. Mr. Whearty advised that he was going to attempt to settle the question as to whether GUBITCHEV was going to have an attorney. Other than that, he did not anticipate any questions arising as the preemptory trial date would be set for November 9. Mr. Whearty called Miss HOLLANDER, secretary to Judge Knox, in an effort to ascertain if a particular judge had been assigned to the case. She advised him she did not know.

At 10:30 am at the opening of Federal Court in Room 318 before Judge Vincent Leibell, who is handling the criminal calendar, the case of the United States vs. GUBITCHEV and COPLON was called. At that time, Mr. Whearty and Mr. Kelly advised that the Government had been informed that a judge would be available for November 9 and they requested that the preemptory trial date be set at that time. JUDITH COPLON was not in the court room but was represented by ARCHIBALD PALMER who agreed to the date and said he would be ready for trial. GUBITCHEV was in the court room with NOVIKOV and TOLOKONNIKOV. GUBITCHEV represented himself. The court asked him whether he was going to hire an attorney and he said no. The court then said it would appoint an attorney but GUBITCHEV said he did not want an attorney. The court asked him why and at this point Mr. Whearty acquainted the judge with the previous background of this case concerning the appointment by the court of attorney HAMILTON, of the brief submitted by HAMILTON concerning the diplomatic status of GUBITCHEV; of the brief submitted by the Government and of the fact that Judge Rifkind had ruled that GUBITCHEV did not have diplomatic immunity. Nevertheless, GUBITCHEV told the court that he was a Soviet diplomat and had been illegally arrested and therefore the court had no jurisdiction to try him.

The judge told GUBITCHEV that he should have an attorney who understood the legal procedure in the courts and who would be able to protect GUBITCHEV's interests, and that if GUBITCHEV persisted in refusing an attorney, the court could not do anything further about it, but the court wanted the record to reflect that GUBITCHEV had been urged to get an attorney. The court said if he represented himself, the court would attempt to protect his interest during the trial. When GUBITCHEV was asked about the date of

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

*Teletype sent
summarizing case
& containing subsequent
work. 18m*

F. B. I.	
65-14932-596	
OCT 17 1949	
N. Y. C.	
ROUTED TO	FILE

MEMO

NY 65-14932

October 17, 1949

November 9, he complained about the numerous postponements and asked when it was all going to end. Judge Leibell told him to be in court at 10:30 am on November 9, at which time the trial would start. It is noted that GUBITCHEV first started to speak in Russian, very apparently for the benefit of NOVIKOV and TOLOKONNIKOV; however, the judge stopped him and insisted that he speak in English.

At 11:20 am I called Mr. Leo Laughlin of the Bureau and advised him of the above.

A. H. BELMONT
ASAC

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK

OCTOBER 17, 1949

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD.....URGENT
JUDITH COPLON, ESPIONAGE DASH R. ON INSTANT DATE SAAG'S WHEARTY AND KELLEY,
DEFENSE ATTORNEY, ARCHIBALD PALMER AND DEFENDANT GUBITCHEV APPEARED BEFORE
JUDGE VINCENT LEIBELL, US DC, SDNY AT TEN THIRTY AM. TRIAL SET FOR NOVEMBER
NINE NEXT, PALMER AND GOVERNMENT ATTORNEYS BOTH STATING THAT THEY WOULD BE
READY FOR TRIAL AT THAT TIME. WHEN ASKED IF HE HAD ANY OBJECTION GUBITCHEV
POINTED OUT THAT THERE HAD BEEN NUMEROUS DELAYS IN COMING TO TRIAL AND ASKED
WHEN IT WAS ALL GOING TO END. THE JUDGE TOLD HIM TO APPEAR AT TEN THIRTY AM ON
NOVEMBER NINTH FOR TRIAL. UPON INQUIRY FROM THE JUDGE, GUBITCHEV STATED HE DID
NOT HAVE AN ATTORNEY AND WOULD NOT HAVE ONE FOR THE TRIAL AS HE WAS A SOVIET
DIPLOMAT, HIS ARREST WAS ILLEGAL, AND THE COURT HAD NO JURISDICTION OVER HIM.
THE JUDGE TOLD GUBITCHEV THAT IF HE DID NOT WANT AN ATTORNEY, THE COURT WOULD
SEE THAT HIS INTERESTS WERE PROTECTED DURING THE TRIAL. GUBITCHEV FIRST TRIED
TO SPEAK TO THE COURT IN RUSSIAN, APPARENTLY FOR THE BENEFIT OF NOVIKOV AND TOLOKONNIKOV
WHO WERE PRESENT IN THE SPECTATOR SECTION OF THE COURT. THE JUDGE IMMEDIATELY
INSISTED THAT GUBITCHEV SPEAK IN ENGLISH, WHICH HE DID. GUBITCHEV AND HIS
TWO RUSSIAN COMPANIONS LEFT US COURT HOUSE ELEVEN AM AND WERE DRIVEN TO HEAD-
QUARTERS BUILDING OF THE SOVIET DELEGATION TO UN, AT SIX EIGHTY PARK AVENUE, 2

CC: 65-14939

TSM:JCM
65-14932Approved: 
Special Agent in ChargeSent  MPer 

65-14932-597

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

PAGE 2

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD, URGENT
WHERE GUBITCHEV REMAINED A SHORT PERIOD OF TIME AFTER WHICH HE WAS DRIVEN
TO THE SOVIET ESTATE IN GLEN COVE, LONG ISLAND, ARRIVING THERE AT TWELVE
FIFTY THREE PM, AT WHICH TIME THE SURVEILLANCE WAS DISCONTINUED FOR SECURITY
REASONS.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

SAC, Omaha

October 17, 1949

SAC, New York

JULIETH COPLON,
ESPIONAGE - R

There will be forwarded under separate cover a photostatic copy of that portion of the transcript of JULIETH COPLON'S trial in Washington, D.C., which deals with the testimony given by SA BRUCEER WILSON, who is presently assigned to your office.

Agent WILSON will probably desire to study this transcript prior to his appearance as a Government witness in the New York trial of COPLON.

For Agent WILSON'S information the trial date has been set for November 9, 1949 and he will be given ample notice of the date he is expected to appear as a witness.

Agent WILSON should be instructed to bring the three volumes of his testimony with him inasmuch as it is part of the New York file of this case and is charged out to him.

TH R

TSM:RAS
65-14932

My

65-14932-598

SAC, Washington Field

October 17, 1949

SAC, New York

JUDITH COPLON,
ESPIONAGE - R

Enclosed herewith is a photostatic copy of that portion of the transcript in COPLON'S Washington Trial which contains the testimony, both direct and cross, given by SA COURTLAND J. JONES.

It is felt that this will be of assistance to Agent JONES in connection with the forthcoming trial of COPLON in New York City.

Enc.

TSM:RAS
65-14932

ibi

AR

65-14932-599

SAC, Washington Field

October 18, 1949

SAC, New York

JUDITH COPLON,
ESPIONAGE - R

Re Washington Field report dated September 13, 1949 in the above captioned matter setting forth a lead for the New York Office to examine the manifest of the SS WISCONSIN to determine if JEAN CONSTANT was a passenger or crew member on that ship.

Washington Field also requested a photostatic copy of the manifest.

There is being enclosed a manifest of the above ship and it will be noted that although JUDITH COPLON is listed as a passenger on the ship JEAN CONSTANT does not appear.

It will be recalled that New York previously made inquiries at the Marianne et Fils Restaurant and at 332 West 45th Street, New York City, to determine if any individual by the name of JEAN CONSTANT was ever employed or resided at those two places respectively but this investigation met with negative results. No further effort will be made to identify JEAN CONSTANT at these two places.

Enc.

TSM:RAS
65-14932

65-14932-601

Director, FBI

October 18, 1949

SAC, New York

JUDITH COPLON,
ESPIONAGE - R

The review of the COPLON testimony in the Washington trial is still being made and while such is being continued, this office desires to call to the Bureau's attention several observations made during such review.

Attention is called to the fact in volume 40, page 7666, of the transcript COPLON is testifying concerning her arrival in New York City on February 18, 1949, which is one of the dates on which she met GUBITCHEV in New York City. Mr. KELLY wanted to know if COPLON told her mother that she had a date up in Washington Heights and would not be home until late. COPLON answered "I did not tell her I had a date up in Washington Heights. I told her I had a dinner appointment and not to expect me home for awhile. She knew I was coming in".

By letter dated February 14, 1949, Washington Field advised the Bureau of a conversation between PAULINE SLAVIN and COPLON relative to COPLON's trip to New York on February 18. COPLON said that she would be in New York on February 18th and thought that she would be free that evening after 9:00 but would have to go home early. COPLON stated that she would not be in New York before 5:00 PM. COPLON, at first, suggested that PAULINE call her at home (in Brooklyn) but then said "I have just been thinking it over. I don't think I want my mother to know that I will be in and not go right home".

On page 97 of the report of SA T. SCOTT MILLER, dated March 28, 1949 in connection with the captioned matter, the results of the interview of PAULINE SLAVIN concerning her relationship with COPLON are set forth. It will be noted that SLAVIN stated that her last contact with COPLON before COPLON'S arrest was a telephone call which SLAVIN received from COPLON early in February of 1949. SLAVIN was in Washington at the time. She said that she remembered two details concerning this conversation. She said that COPLON commented that she was thinking of some man in terms of marriage but did not mention his name, and also stated that COPLON planned to be in New York February 18. SLAVIN said that since she also was planning to be in New York about that time a possible meeting was discussed. According to SLAVIN, COPLON gave her COPLON'S Brooklyn telephone number but the meeting was left indefinite due to the fact that COPLON had another appointment and the duration of SLAVIN'S stay in New York was uncertain.

The New York Office has considered the advisability of reinterviewing PAULINE SLAVIN concerning the possible arrangements for COPLON and SLAVIN to meet in New York on February 18 to determine whether she recalls COPLON not desiring that SLAVIN call her at her mother's home in Brooklyn. In the event SLAVIN did recall this she would be a potential witness in rebuttal. However,

cc: Washington Field

TSM:RAS
65-14932

65-14932-602

Letter to Director
NY 65-14932

there are several circumstances which must also be considered in determining whether such an interview should be conducted. These factors which must be considered are SLAVIN'S background, which is set out in the same New York report mentioned above and the fact that SLAVIN would be questioned concerning a telephone conversation which might in some way embarrass the Bureau in the coming trial.

The New York Office is of the opinion that the possible harm which might result from an interview with SLAVIN far outweighs the benefits of utilizing her as a witness in rebuttal. However, the Bureau might desire to submit these questions to the department.

It will be recalled that while COPLON was under cross examination, Mr. KELLY questioned her extensively as to why she walked from 193rd Street to Bickford's Restaurant and then started back up towards 193rd Street, on March 4, 1949. COPLON, in explaining this, stated that on February 18, 1949, when she was in the small shoe shop near 193rd Street and Broadway, she asked the proprietor of the shoe shop where the nearest ladies' room was located. COPLON stated that he suggested the subway or some place near-by but she told him that she would not want to go any place like that. Whereupon, the proprietor told her that there was a ladies' room in Bickford's Restaurant at 181st Street and Broadway. COPLON stated on that night she walked to Bickford's after leaving the shoe repair shop and returned to the vicinity of 193rd Street and Broadway shortly before 9:00 PM, at which time she was approached by ZUKITCHEV. It should be pointed out that COPLON was not under surveillance during this alleged walk to 181st Street.

Mr. PETER RAMONDO, the proprietor of the shoe repair shop, residing at 671 West 193rd Street, apartment 2H, New York City, stated that he is the owner and operator of this shoe repair shop and that he has worked there for the past 13 years. He said that his usual hours of business are from 8:00 AM to 8:00 PM daily, except Sunday, and further stated that he is the only worker in this shop and that he has not employed any other individual to assist him in his work during the past 13 years. Mr. RAMONDO said that he does not know the location of any Bickford's Restaurant in the area or the vicinity of the shoe repair shop and he does not know the location of any Bickford's Restaurant anywhere in the neighborhood where his shoe repair shop is located. Mr. RAMONDO said that during February of 1949 he never directed any woman to a ladies' room at any Bickford's Restaurant.

Mr. RAMONDO could not identify a photograph of COPLON.

Letter to Director
NY 65-14932

Mr. RAMUNDO signed a statement incorporating the above facts and stated that he would be willing to testify for the United States Government should the necessity arise.

The above information together with the remainder of the review of the COPION testimony will be incorporated in the next investigative report in this matter, which will be submitted in the immediate future.

R
R

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

OCTOBER 18, 1949
NEW YORK, N. Y.

Transmit the following Teletype message to:

BUREAU.....URGENT

JUDITH COPLON, ESP-R. REURTEL JULY ONE REQUESTING JURY PANEL BE CHECKED.
JURY CLERK, SDNY, ADVISED ONLY ONE PROSPECTIVE JURY PANEL HAS BEEN DRAWN AT
PRESENT DATE WHICH INCLUDES FOUR HUNDRED NAMES. THESE INDIVIDUALS WILL BE
CALLED FOR QUALIFICATION BY NOVEMBER ONE, FORTYNINE, BUT CLERK EXPECTS ONLY
ABOUT ONE HUNDRED FORTY TO ONE HUNDRED FIFTY WILL QUALIFY. (CLERK SAID THIS
IS ONLY PANEL FROM WHICH JURY FOR COPLON TRIAL WILL BE SELECTED UNLESS AN
ADDL ONE IS ORDERED BUT ADDL ONE WOULD HAVE TO BE DRAWN ONE WEEK PRIOR TO
TRIAL. CLERK WILL BE CONTACTED NOVEMBER ONE NEXT TO SECURE NAMES OF THOSE
QUALIFIED INDIVIDUALS AT WHICH TIME IT WILL BE DEFINITELY DETERMINED IF ADDL PANEL
HAS BEEN DRAWN. BUREAU WILL BE KEPT ADVISED IN THIS MATTER. IN ACCORDANCE WITH
REFTEL PANEL OR PANELS WILL BE CHECKED AGAINST NY INDICES, CREDIT AND CRIMINAL
CHECK MADE AND REPT SUBMITTED.

SCHEIDT

65-14939
TSM:IM
cc - 65-14939

RRR

Approved: 
Special Agent in Charge

Sent 7:05 PM M. Per 

65-14939-603 du

Director, FBI

October 18, 1949

SAC, New York

ARCHIBALD PALMER
INFORMATION CONCERNING

The files of this office indicate that

b7D

[redacted] carried as a confidential informant, advised that HAZEL DONALD CHERRY was a member of the Benjamin Franklin Club of the Communist Party at the Sperry Gyroscope Company, Incorporated, Lake Success, Long Island, from August 1945 to October 1946. She advised that he had been at the Communist Party meetings held by the individual members of the club in their homes. She judged him to be an old party member. He was a member of the Assemblers and Extension Area Groups of instant club.

The records of Sperry reflect that CHERRY began working at Sperry on September 24, 1941 and was employed there as of June 1948. His personnel file reflected that he was employed by ARCHIBALD PALMER, 2 Lafayette Street, New York City from June 1939 to November 1939.

This information was obtained from a previous report in the case entitled "HAZEL DONALD CHERRY, Security Matter - C", Bufile 100-360074.

cc: NY 65-14932
cc: NY 100-91042

TSN:RAS
47-4040

65-14932-604

...MR. SCHEIDT
 ...MR. EELMONT
 ...MR. WHELAN
 ...MR. COLLIER
 ...MR. GRANVILLE
 ...MR. JUSZCZAK
 ...MR. KATZ
 ...MR. LEE
 ...MR. MCGEE
 ...MR. MURPHY
 ...MR. NICHOLS
 ...MR. O'NEILL
 ...MR. PETERSON
 ...MR. QUINN
 ...MR. RYAN
 ...MR. SAMPSON
 ...MR. SCHMIDT
 ...MR. TAYLOR
 ...MR. THOMPSON
 ...MR. WATSON
 ...MR. WILSON
 ...MR. YOUNG
 ...MR. ZIMMERMAN
 ...MR. ADAMS
 ...MR. BAKER
 ...MR. BROWN
 ...MR. CAMPBELL
 ...MR. COOPER
 ...MR. DAVIS
 ...MR. FOSTER
 ...MR. GARCIA
 ...MR. HARRIS
 ...MR. HENRY
 ...MR. JONES
 ...MR. KELLEY
 ...MR. KING
 ...MR. LAMAR
 ...MR. LEE
 ...MR. LITTLE
 ...MR. LONG
 ...MR. LYNN
 ...MR. MAZUR
 ...MR. McLEOD
 ...MR. McNEIL
 ...MR. McPHERSON
 ...MR. MILLER
 ...MR. MORRIS
 ...MR. MURPHY
 ...MR. NICHOLS
 ...MR. NORMAN
 ...MR. O'NEILL
 ...MR. ORourke
 ...MR. PETERSON
 ...MR. PHILLIPS
 ...MR. RICE
 ...MR. RICHARDS
 ...MR. RYAN
 ...MR. SAMUELSON
 ...MR. SCHMIDT
 ...MR. SHAW
 ...MR. SIMMONS
 ...MR. SMITH
 ...MR. SPENCER
 ...MR. STEIN
 ...MR. STEVENSON
 ...MR. SWANSON
 ...MR. TAYLOR
 ...MR. THOMPSON
 ...MR. TOLSON
 ...MR. TROTTER
 ...MR. TUCKER
 ...MR. TURNER
 ...MR. VAUGHAN
 ...MR. VANDERBILT
 ...MR. WALLACE
 ...MR. WATSON
 ...MR. WEAVER
 ...MR. WELLS
 ...MR. WILSON
 ...MR. WOOD
 ...MR. WOODWARD
 ...MR. WYATT
 ...MR. YOUNG
 ...MR. ZIMMERMAN

65-14932-605
F. B. I.
OCT 18 1944
N. Y. C.
15 Nov 44

SAC, San Juan

October 18, 1949

SAC, New York

JUDITH COPLON,
ESPIONAGE - R

There is enclosed herewith a volume containing the testimony of SA JOHN F. WALLEY in the Washington trial of JUDITH COPLON.

Since Agent WALLEY will be a witness in the coming trial the testimony should be reviewed by him.

The trial date has been set in New York for November 9, 1949 and when Agent WALLEY comes to New York in response to his subpoena, he should bring the enclosed volume which is a part of the New York file and charged out to him.

AIR MAIL, REGISTERED

Enc.

Enc

TSM:RAS
65-14932

nh

65-14932-606

Director, FBI

October 20, 1949

SAC, New York

JUDITH COPLON
ESPIONAGE-R
(Bureau File 65-5836)

Reference is made to report of SA(A) JOHN A. RUEHLE, dated October 20, 1949, at New York, in the above entitled case.

The following information from the indices of the New York Office is set forth herein inasmuch as it was deemed inappropriate to place it in the investigative report for the reason that it does not relate to the allegations which prompted the investigation.

A check of the New York indices for the name LAWRENCE R. CONDON is mentioned in NY #65-1819 entitled "DUCASE; Espionage-G". The indices refer to a Bureau criminal record for CONDON showing FBI #1375420. However, it has been determined that the serials relating to this have been destroyed.

There is one reference in the DUCASE file identifying LAWRENCE R. CONDON as an attorney at 165 Broadway, New York City. The New York indices reflect numerous references to LAWRENCE R. CONDON of 165 Broadway, New York City who was the son of Dr. JOHN F. CONDON, alias JAFSIE CONDON, a subject of considerable investigation in the case entitled "BRUNO RICHARD HAUPTMANN, was; Kidnapping and Murder of CHARLES AUGUSTUS LINDBERGH, JR.". No attempt will be made herein to set forth the information in this file regarding LAWRENCE R. CONDON but this is being called to the Bureau's attention.

In addition, the report of SA CLIFFORD J. NELSON, dated January 9, 1943, at New York, in the case entitled "R. O. GERSON, was; Espionage-G" reflects that there was an investigation conducted concerning one HORST VON HENNIG of 551 5th Avenue, New York City, an alleged Nazi. On Page 43 of Agent NELSON'S report there is listed the name of the person who would always know HENNIG'S address, namely, LAWRENCE R. CONDON, 165 Broadway, New York City.

With reference to other names reflected in the report of SA(A) JOHN A. RUEHLE, dated October 20, 1949 at New York, there are no identifiable references in the New York indices.

JAR:CF
65-14932

65-14932-607

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
OCTOBER 20, 1949

Transmit the following Teletype message to:

BUREAU.....URGENT

JUDITH COPLON, ESP-R. INSPECTION OF CRIMINAL DOCKET, U.S. DISTRICT COURT, SDNY, REFLECTS THAT ON OCTOBER NINETEENTH, FORTY NINE JUDGE WM. P. BONDY HANDED DOWN RULINGS ON FOLLOWING MOTIONS IN COPLON CASE. MOTION TO INSPECT MINUTES OF GRAND JURY DENIED. MOTION TO QUASH INDICTMENT ON INSUFFICIENT AND INCOMPETENT EVIDENCE DENIED. MOTION TO RETURN PROPERTY OF COPLON ON GROUND OF ILLEGAL SEIZURE, NO RULING GIVEN. BONDY STATED HEARING ON THIS MOTION WILL BE HELD AT LATER AND UNSPECIFIED DATE.

SCHEIDT

65-14932
REB:IM

RRr

Approved: 
Special Agent in Charge

Sent 343 PM Per 

65-14932-608

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

NEW YORK

NY FILE NO. 65-14932 mcf

REPORT MADE AT NEW YORK	DATE WHEN MADE 10/20/49	PERIOD FOR WHICH MADE 9/20, 22, 23, 27- 29; 10/11, 12/49	REPORT MADE BY JOHN A. RUEHLE (A)
TITLE JUDITH COPLON			CHARACTER OF CASE ESPIONAGE-R

SYNOPSIS OF FACTS:

~~STRICTLY CONFIDENTIAL~~ (U)

[redacted] traced in so far as possible.
No indication of subversive source [redacted]
[redacted]
[redacted]

- P -

REFERENCES:

Bureau File 65-53365
Report of SA (A) JOHN A. RUEHLE, 9/25/49, New York.

b7D

DETAILS:

At New York, New York

Tracing of the [redacted] has been completed in so far as possible. There is no indication of a subversive [redacted] of [redacted] has been identified. The following summary schedule of the tracing of [redacted]

[redacted]	
------------	--

APPROVED AND FORWARDED: <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT 5 - Bureau 4 - Washington Field 1 - S.A.A.G. T. J. DONEGAN ④ - New York		65-14932-609	
		<i>[Signature]</i>	

1 copy to sub file

NY 65-14932

[REDACTED]

The following items have been traced and identified since the last report in this matter.

1. [REDACTED]

[REDACTED]

The above information should not be disclosed except in a usual proceeding following the issuance of a subpoena.

b7D

2. [REDACTED]

[REDACTED]

[REDACTED]

This information should not be disclosed except in a usual proceeding following the issuance of a subpoena.

3. [REDACTED]

[REDACTED]

Through the cooperation of Confidential Informant T-3, of known reliability, at the [REDACTED]

[REDACTED]

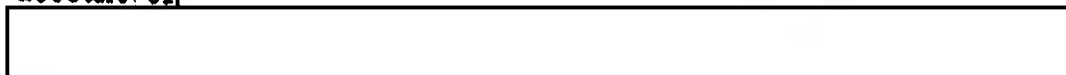
NY 65-14932



4.

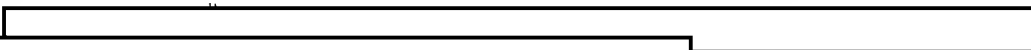


It was determined through Confidential Informant T-3 that the account of



b7D

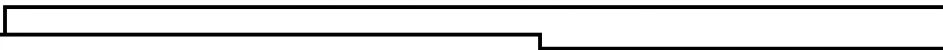
5.



This check was traced through Confidential Informant T-2 at the



6.



Through the cooperation of Confidential Informant T-3 the



NY 65-14932

7. [REDACTED]
[REDACTED]

During the course of investigation it was reflected that several

[REDACTED]

8. [REDACTED]
[REDACTED]

b7D

Through the cooperation of Confidential Informant T-2 at the

[REDACTED]

9. [REDACTED]
[REDACTED]

Through the cooperation of Confidential Informant T-2 this

[REDACTED]

10. [REDACTED]
[REDACTED]

NY 65-14932

[REDACTED]

[REDACTED]

[REDACTED]

Through the cooperation of Confidential Informant T-3 at the

[REDACTED]

[REDACTED] The information reported herein should not be disclosed except in a usual proceeding following the issuance of a subpoena.

b7D

[REDACTED]

It is noted that all of the addresses set forth above are in an entirely distant section of New York City from the location of the [REDACTED]

[REDACTED] Informant T-3 advised that

[REDACTED]

[REDACTED]

NY 65-14932

b7D

- P E N D I N G -

NY 65-14932

CONFIDENTIAL INFORMANTS

The identity of the confidential informants mentioned in the report of Special Agent (A) JOHN A. RUEHLE, Dated October 20, 1949, at New York, are as follows:

T-1

T-2

T-3



b7D

Office Memorandum • UNITED STATES GOVERNMENT

TO : MEMO: SAC

DATE: October 21, 1949

FROM :

SUBJECT: JUDITH COPLON
ESPIONAGE - R

A review of the testimony given by the writer in the Washington trial of JUDITH COPLON discloses the following references to Special Agent in Charge SCHEIDT and Assistant Special Agent in Charge BELMONT.

In response to a question, "Who was in charge of the raiding party who picked up these two people on 15th Street when they were standing on the corner? Who was in charge of it?"

A. Special Agent SCHEIDT and GRANVILLE

Q. Is Mr. SCHEIDT outside?

A. I don't think so

Q. Where is he?

A. I believe he is in New York.

Q. How many operatives were there?

A. At the time I arrived at the scene it was probably Special Agent SCHEIDT...

In response to a question as to what agents writer had spoken with before April 26 concerning this case, the answer "I probably didn't speak to Mr. SCHEIDT". Defense attorney in his next question mentioned that Mr. SCHEIDT was head of the FBI in the New York Field Office.

Concerning the meeting of agents on the afternoon of March 4th before COPLON arrived in New York.

Q. By the way, was Mr. BELMONT there?

A. I saw Mr. BELMONT.

Q. Did Mr. BELMONT do any talking?

A. Yes, sir.

Q. What did Mr. BELMONT say?

A. He outlined the ..

Q. Plan?

A. No; he discussed the surveillance, the case as it had as it was known.

EFMcC:mbm
65-14932

65-14932-610 *Em*

F. B. I.	
OCT 21 1949	
N. Y. C.	
ROUTED TO	FILE <i>8m</i>

Memo:
NY 65-14932

Q. When you left the building that day, did you know what GUBITCHEV'S profession was; what he did for a living?

A. Yes, I did, sir.

Q. Did Mr. GRANVILLE tell everybody there about it or did Mr. BEJMONT tell them?

A. I knew that I knew it. I don't remember who told me.

Concerning the surveillance:

Q. Do you know anything at all about the fact, anything over the radio about Mr. GRANVILLE or Mr. SCHEIDT being north, the way you people were stationed at 187th Street; anything over the radio about that.

A. Nothing specifically.

Q. Did you know whether or not Mr. SCHEIDT or Mr. GRANVILLE were actually stationed above you, above 187th Street, of your own knowledge?

A. I believe I heard Mr. GRANVILLE'S voice on the radio.

Q. When you hear a voice of the radio, does it tell you where it comes from, what street?

A. No

Q. Did you know from anything said over the radio just where Mr. GRANVILLE and Mr. SCHEIDT were; did you know it?

A. I believe they advised that he was going north on Broadway.

Q. Who was going north?

A. GUBITCHEV

Q. Did they say where?

A. They possibly did.

Q. And they possibly didn't?

A. My recollection is that they did.

Memo:
NY 65-14932

Concerning the conference with Messrs. KELLEY and Whearty:

Q. At the time you met Mr. WHEARTY and Mr. KELLY, in the hours mentioned, were any other agents present?

A. Yes, sir.

Q. Did the agents who were present include Mr. GRANVILLE and Mr. SCHEIDT or without Mr. SCHEIDT.

A. I don't recall whether Mr. SCHEIDT was there.

Concerning the time of the arrest and immediately preceding:

Q. Will you kindly tell me, at that time, (about the time SA McDONOUGH and the writer saw COPLON and GUBITCHEV at 15th Street and Third Avenue), did you know anything at all about the fact that Mr. SCHEIDT and Mr. GRANVILLE were in the vicinity and that they were over south of 14th Street between 14th and 13th Street, about two blocks from you?

A. No. I assume they were in the vicinity.

Q. As they proceeded up that way (COPLON and GUBITCHEV walking on Third Avenue from 15th to 16th Streets) when was the first time you saw Mr. SCHEIDT and Mr. GRANVILLE.

A. Just immediately preceding the apprehension.

The writer was also asked how long it took to walk (on the opposite side of Third Avenue) before Mr. SCHEIDT and Mr. GRANVILLE came up and replied about a minute. Also a question as to whether the writer observed what Mr. GRANVILLE and SCHEIDT did after they got out of the car and the reply was that the writer did not see them for the moment. In reply to a question as to whether the writer heard what Mr. SCHEIDT or Mr. GRANVILLE told or said to COPLON and GUBITCHEV the reply was that the writer heard Mr. GRANVILLE identify himself. Another question was whether the writer had heard Mr. GRANVILLE'S voice and not Mr. SCHEIDT'S and replied that it was Mr. GRANVILLE'S voice.

Memo:
NY 65-14932

The writer further was asked if he could point out the exact spot COPLON and GUBITCHEV were standing when Mr. GRANVILLE and SCHEIDT came up. The reply of the writer was that he could not point the exact spot.

Another question was whether Mr. SCHEIDT had a gun in his hand and the writer replied that he did not observe a gun. Objection was sustained to a question as to whether there was a bulge in the pocket of Mr. SCHEIDT or Mr. GRANVILLE.

Another question asked of the writer was as to whether when the writer came across the street did he hear Mr. SCHEIDT or Mr. GRANVILLE say anything to COPLON or GUBITCHEV and the answer was given that the writer did not remember anything.

In response to a question as to whether Mr. SCHEIDT or Mr. GRANVILLE held the hands or arms of either COPLON or GUBITCHEV and the answer was that Mr. GRANVILLE may have had hold of the arm of GUBITCHEV.

The writer was also asked whether Mr. SCHEIDT or Mr. GRANVILLE had said anything to the writer from the time they came up to the place of arrest until COPLON was escorted to a car by the writer and the answer was that the writer did not recall anything.

EDWARD F. MCCARTHY, SA

Office Memorandum • UNITED STATES GOVERNMENT

TO : MEMO, SAC

DATE: October 2, 1949

FROM :

SUBJECT: JUDITH COPLON
ESPIONAGE - R

In connection with the testimony of SA Martin F. Carey delivered in the United States District Court for the District of Columbia in the case entitled United States of America vs. JUDITH COPLON, the following references to SAC Scheidt and ASAC Belmont were made:

On page 2517 of my testimony, I indicated that after the arrest of GUBITCHEV, he was brought to the New York Office in a car in which were also riding SAC Edward Scheidt, SA Granville and SA Malley, as well as the writer and GUBITCHEV.

I also testified that Mr. Scheidt was the Special Agent in Charge of the New York Office. Further, that at the time immediately before the actual arrest, I saw SAC Scheidt and SA Granville (about to make the arrest). (Pages 2558 and 2559 of the testimony.)

I testified that I joined the car containing SAC Scheidt and SA Granville at 14th Street, New York City, at approximately 9 p.m. on the evening of the arrest. I said that at that time I did not "have any talk with Mr. Granville and/or Mr. Scheidt....concerning where they were going." I stated that at the time I joined Mr. Scheidt and Mr. Granville, that Mr. Scheidt did not then say that an arrest was about to be made, and that in the entire trip across town on 14th Street, there was nothing said about a pending arrest in my presence. (Pages 2574 and 2575 of the testimony.)

I testified that immediately prior to the arrest, the car bearing Mr. Scheidt, Mr. Granville, and myself was proceeding in a northerly direction and that at the time I first sighted GUBITCHEV and COPLON they were also seen by Mr. Scheidt and Mr. Granville. (Page 2580)

Concerning when I left the car bearing Mr. Scheidt and Mr. Granville immediately prior to the arrest, attorney PALMER asked me if anybody told me to get out of the car. I indicated that I did not recall being told, but did this on my own initiative. I indicated that at the time I left the car I did not know that COPLON and GUBITCHEV were about to be arrested. (Pages 2583 and 2584)

I advised MR. PALMER that prior to the night of the arrest neither Mr. Scheidt nor Mr. Granville had been on any of the previous surveillances of either COPLON or GUBITCHEV. (Page 2588)

MFC:AG
65-14932

65-14932-61A	
OCT 24 1949	
U.	FILE

MEMO

65-14932

I indicated that at the time of the arrest I saw both Mr. Granville and Mr. Scheidt come out of the car in which they were riding. I was asked if Mr. Scheidt had a "drawn revolver" and I advised that, "I did not see it; he did not come out with a drawn revolver." (Page 2591, 2592)

Also concerning the time of the actual arrest, I indicated that I was such a distance behind COPLON and GUBITCHEV that I did not hear either Mr. Scheidt or Mr. Granville make any statements at the time they arrested the pair. (Page 2593)

It will be noted that the above references pertain entirely to SAC Scheidt, and that no mention was made in the testimony of the writer of ASAC Belmont.

It should further be noted that the above are all the actual references by name to Mr. Scheidt; however, those parts of the writer's testimony which deal with his activities after he joined the car occupied by SAC Scheidt and Mr. Granville at Eighth Avenue and 14th Street at approximately 9 p.m. on March 4th, would also be of interest to Mr. Scheidt. They are not being set out in detail here because of their length and because attorney PALMER did not cover this topic at one time, but kept coming back to it at various times.

MARTIN F. CAREY, SA

ADDRESS REPLY TO
"UNITED STATES ATTORNEY"
AND REFER TO
INITIALS AND NUMBER

IHS

United States Department of Justice

UNITED STATES ATTORNEY

UNITED STATES COURT HOUSE
FOLEY SQUARE
SOUTHERN DISTRICT OF NEW YORK
NEW YORK 7, N. Y.

elf

October 24, 1949

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HILSBOS
MR. HUGLES
MR. KENNEDY
MR. MARCESSAULT
MR. McGRATH
NIGHT SUPERVISOR
MR. RING
MR. TUOHY
MR. WATSON
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Mr. Edward E. Scheidt
Special Agent in Charge
Federal Bureau of Investigation
United States Court House
Foley Square
New York 7, N. Y.

Dear Mr. Scheidt:

I deliver with this letter three original letters and the envelopes in which they were received. As you may see, they are directed to Honorable Leibell, U.S.D.J., and they are, if anything, annoying.

I spoke with Mr. Belmont after Judge Leibell referred them to me, and I would appreciate it if you would have photostats made and return them to me for my file after the Bureau has taken such steps as it may deem necessary in connection therewith.

Very truly yours,

IRVING H. SAYPOL,
Chief Assistant
United States Attorney

*see exhibit
10-153*

Enclosures

Searched
Serialized
Indexed
Filed

65-14932-612
FBI - NEW YORK
OCT 24 1949
JBA

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
OCTOBER 31, 1949

Transmit the following Teletype message to: BUREAU

URGENT

JUDITH COPLON, ESPIONAGE -- R. ON OCTOBER THIRTY ONE, NINETEEN FORTY NINE, ASSISTANT USA THOMAS MURPHY RECEIVED CALL FROM JUDGE BONDY WHO STATED THAT HE HAD BEEN READING PALMER'S MOTION FOR RETURN OF MATERIAL SEIZED FROM COPLON BECAUSE OF ILLEGAL ARREST. HE TOLD MURPHY THAT THE MATERIAL SEIZED HAD NO RELATION TO WHETHER THE ARREST WAS LEGAL AND THEREFORE HE WANTED WHEARTY TO GET IN TOUCH WITH HIM SO A DATE COULD BE SET WHEN TESTIMONY WOULD BE GIVEN ON THE MOTION. MURPHY CALLED WHEARTY AND TOLD HIM TO GET IN TOUCH WITH PALMER SO THE TWO CAN SEE JUDGE BONDY TO SET DATE. WHEARTY USUALLY CONTACTS NYO AFTER HIS APPEARANCES BEFORE JUDGE BONDY SO BUREAU WILL BE KEPT ADVISED OF DEVELOPMENTS.

*BUREAU REQUESTED TO
CONTACT WHEARTY TO ASCERTAIN FURTHER
INFO RE THIS.*
SCHEIDT

RRB

TSM:NJC
65-14932

___	MR. SCHEIDT
___	MR. BELMONT
___	MR. WHELAN
___	MR. COLLIER
___	MR. GRANVILLE
___	MR. HILSEOS
___	MR. HUGHES
___	MR. KENNEDY
___	MR. MARCHESSAULT
___	MR. McGRATH
___	NIGHT SUPERVISOR
___	MR. RING
___	MR. TUOHY
___	MR. WATSON
___	MR. WOHL
___	CHIEF CLERK
___	PROPERTY CLERK
___	TRAINING UNIT

Approved: *S. J. 270*

Special Agent in Charge

Sent *8-23P*

Per *Jim*

65-14932-613

Office Memorandum • UNITED STATES GOVERNMENT

TO : MEMO

FROM : SA A. J. TUOHY

SUBJECT: JUDITH COPLON
ESPIONAGE - R

DATE: November 1, 1949 - CAULT

This morning, Mr. H. B. Fletcher of the Bureau advised that Mr. Whearty of the Department is proceeding to New York today in connection with the motion filed by the defense before Judge Bondy as indicated in our teletype of yesterday. The foregoing information was furnished to Supervisor Granville.

AJT:CTC
65-14932

65-14922-614
F. B. I.
OCT 31 1949
N. Y. C.
ROUTED TO: *J. S. Miller* FILE *18m*

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
NOVEMBER 11, 1949

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. HOLLAND
MR. KENNEDY
MR. MARCHESSAULT
MR. NEASE
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WICK
CHIEF CLERK
PROPERTY CLERK
SECURITY COUNSEL

Transmit the following Teletype message to:

BUREAU ATTENTION
DIRECTOR H. B. FLETCHER
WASHINGTON FIELD URGENT

JUDITH COPLON; ESPIONAGE - R. SAAG R. P. WHEARTY AND DEFENSE
ARCHIBALD PALMER APPEARED BEFORE JUDGE WILLIAM P. BONDY TODAY TO DISCUSS
HEARING ON DEFENDANT'S MOTION FOR RETURN OF PROPERTY BECAUSE OF ILLEGAL
SEIZURE. BONDY INSISTED ON HAVING A HEARING WHEREIN TESTIMONY WILL BE GIVEN
IN CONNECTION WITH THE JUSTIFICATION FOR ARREST WITHOUT A WARRANT. DESPITE
WHEARTY'S ARGUMENTS AGAINST SUCH, BONDY SET DATE FOR HEARING ON NOVEMBER
NINTH FORTY NINE. WHEARTY WAS ARGUING THAT TRIAL JUDGE SHOULD HANDLE
THE PRESENT MOTION AND CALLED BONDY'S ATTENTION TO THE FACT THAT TRIAL DATE
HAS BEEN SET FOR NOVEMBER NINTH, AND FURTHER THAT THE GIVING OF TESTIMONY
MIGHT PROLONG THE TRIAL FOR A CONSIDERABLE PERIOD OF TIME. PALMER SAID HE
WOULD BE WILLING TO HAVE TRIAL JUDGE DISPOSE OF MOTION IF WHEARTY WOULD
AGREE TO POSTPONE TRIAL DATE UNTIL AFTER A WRIT OF CERTIORARI IN CONNECTION
WITH THE APPEAL OF THE WASHINGTON CONVICTION HAS GONE UP TO THE SUPREME
COURT. WHEARTY WOULD NOT AGREE TO DO THIS AND ADVISED THIS OFFICE THAT
PROBABLY PALMER IS INSISTING ON BONDY DISPOSING OF THE MOTION SO THAT HEE
CAN TRY TO APPEAL BONDY'S DECISION IF IT IS ADVERSE TO THE DEFENDANT AND
THEY POSTPONE THE ACTUAL TRIAL FOR SOME TIME. WHEARTY DOES NOT THINK
PALMER CAN DO THIS. PALMER WILL CALL WHEARTY TOMORROW AND WILL LET HIM
KNOW WHAT WITNESSES HE WILL REQUIRE AT THE HEARING. WHEARTY WILL IMMEDIATELY
ADVISE MR. FLETCHER AT THE BUREAU. WHEARTY AND KELLEY EXPECT TO BE IN NY

TSM:MTH
65-14932

Approved:

Special Agent in Charge

Sent 9:58P M

Per 911

65-14932 - 615

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

__PAGE TWO__

Transmit the following Teletype message to:

MONDAY MORNING IN PREPARATION FOR THE HEARING. BUREAU IS REQUESTED TO ADVISE
NY IMMEDIATELY OF IDENTITY OF WITNESSES PALMER EXPECTS TO CALL.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE New York, New York
November 2, 1949

Transmit the following Teletype message to: SAN JUAN - URGENT
JUDITH COPLON, ESPIONAGE - R. TRIAL DATE SET FOR NOVEMBER NINE NEXT. SA
JOHN F. MAILEY SHOULD ARRANGE TO BE ON TWENTYFOUR HOUR NOTICE BEGINNING
NOVEMBER EIGHT FOR TRIP TO NY AS HE WILL BE WITNESS. YOU WILL BE NOTIFIED
WHEN MAILEY SHOULD ARRIVE NYC.

SCHEIDT

enc. 4
dpk

R Dr

TSM:RS
65-14932

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HILSBOS
MR. HUGGESS
MR. KENNEDY
MR. MARCHESSAULT
MR. McGRATH
NIGHT SUPERVISOR
MR. RING
MR. TUOHY
MR. WATSON
MR. WHEL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Approved: *ES* *270*
Special Agent in Charge

Sent *6:53P* M Per *JKM*

65-14932-616

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE New York, New York
November 2, 1949

Transmit the following Teletype message to: OMAHA - URGENT

JUDITH COPLON, ESPIONAGE - R. TRIAL DATE SET FOR NOVEMBER NINE NEXT. SA BREWER WILSON SHOULD ARRANGE TO BE ON TWENTYFOUR HOUR NOTICE BEGINNING NOVEMBER EIGHT FOR TRIP TO NY AS HE WILL BE WITNESS. YOU WILL BE NOTIFIED WHEN WILSON SHOULD ARRIVE NYC.

SCHEIDT

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HILSE
MR. HUGER
MR. KENNEDY
MR. MARSH
MR. McGUIRE
NIGHT SUPERVISOR
MR. RING
MR. TUCKER
MR. WATSON
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING CLERK

TSM:RS
65-14932

RRB

Approved: ES EJO.
Special Agent in Charge

Sent

M

Per

642 P
RS
65-14932-617

Office Memorandum • UNITED STATES GOVERNMENT

TO : MEMO

FROM : SA A. J. TUOHY

SUBJECT: JUDITH COPLON
ESPIONAGE - R

DATE: November 2, 1949

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. GRANVILLE
MR. HILTECS
MR. LUCIE
MR. WARD
MR. MARCESSAULT
MR. McGRATH
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WATSON
MR. WOEL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

This afternoon, Mr. H. B. Fletcher of the Bureau called with reference to the hearing scheduled for November 9, at which time the defense will attack the legality of the arrest of subjects.

Mr. Fletcher stated that in all probability Supervisor R. R. Granville and SA T. S. Miller will be key witnesses at this hearing. He instructed that both agents should know the facts of the case thoroughly and that Mr. Granville should be able to testify to what he personally knows and to what other agents told him, with the exception of any information received from technical sources. In other words, Mr. Granville should know not only things he has personal knowledge of, but also of the results of all investigation conducted by other agents throughout this case.

Not in any ref.
Mr. Fletcher further advised that Mr. Whearty had told him that COPLON had asked McKINNEY where FOLEY usually kept the keys and that McKINNEY told FOLEY of what COPLON had asked him, whereupon FOLEY changed the place where the keys were kept. Mr. Fletcher stated that this information probably will be found in Washington Field Office reports. He pointed out that items such as these should be known and that Mr. Granville should be extremely well acquainted with the case.

Done
Mr. Fletcher also advised that all agents who testified at the previous trial should be alerted so that they will be available to testify in the forthcoming trial within 24 hours. He said that where agents who testified are assigned to other field divisions, teletypes should be sent to those field divisions advising these agents that they might be witnesses subsequent to November 9, 1949 and that they should be ready to proceed after that date on extremely short notice.

Mr. Fletcher also inquired as to the whereabouts of the agents' notes. He said he thought SA Miller had possession of them. Upon checking with Supervisor Granville, it was ascertained that SA Miller does have the notes.

AJT:CTC
65-14932

65-14932-618	
F. B. I.	
NOV 2 - 1949	
N. Y. C.	
ROUTED TO	FILE
15	48m

Office Memorandum • UNITED STATES GOVERNMENT

TO : MEMO

FROM : SA A. J. TUOHY

SUBJECT: JUDITH COPLON
ESPIONAGE - R

DATE: November 3, 1949

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. GRANVILLE
MR. HILSEOS
MR. HUGHES
MR. HENRY
MR. HARTY ESSAULT
MR. LORATH
NIGHT SUPERVISOR
MR. RUG
MR. TUCHY
MR. PATSON
MR. WOHL
CHIEF CLERK
TRAINING UNIT

On the morning of November 3, 1949, I advised Mr. H. B. Fletcher of the Bureau that in line with his inquiry of yesterday concerning whereabouts of the agents' notes in this matter, SA T. S. Miller possesses the notes of all agents who testified with the exception of the notes of SA J. J. Ward. Mr. Fletcher was further advised that Ward's notes had been missing since the first trial and that efforts on the part of the Clerk of the Court, government attorneys and defense attorney PALMER to locate them have proved negative.

I also advised Mr. Fletcher that we are ready to dictate the report concerning the checks made of the indices, police department records, etc. of the members of the jury panel and called his attention to the fact that the Bureau had directed us to submit this information in report form, listing each juror alphabetically on a separate page. I advised Mr. Fletcher that in view of the purpose of this report, we could not achieve the purpose and comply with the new Bureau instructions regarding breaking down reports into investigative and administrative sections; that as we saw it, the report would be valueless unless it was submitted as a straight investigative report the way reports formerly were submitted. He agreed and said we should go ahead and submit the report in this form.

AJT:CTC
65-14932

65-14932-619	
F. B. I. <i>ah</i>	
NOV 3 - 1949	
N. Y. C.	
ROUTED TO <i>TS Miller</i>	FILE <i>18m</i>



United States Department of Justice
Federal Bureau of Investigation
New York 7, New York

IN REPLY, PLEASE REFER TO

FILE NO. _____

November 4, 1949

MEMO TO ASAC BELMONT

RE: JUDITH COPLON
ESPIONAGE - R

A review of 65-14932-1B148, which is a photostatic copy of the stenographic transcript of the United States District Court, Washington, D. C. trial of JUDITH COPLON, which includes my testimony given on May 18, 1949, reveals that Mr. BELMONT'S name was mentioned on that afternoon by Mr. WHEARTY, Special Assistant to the Attorney General.

~~In a discussion before the court Mr. PALMER asked Mr. WHEARTY as to the time that he arrived in New York City on March 4, 1949.~~

In a discussion before the court concerning the arrest of JUDITH COPLON Mr. PALMER asked Mr. WHEARTY what time he had come to the FBI Building on the night of March 4th.

Mr. WHEARTY stated that he had been telephonically informed that JUDITH COPLON and VALENTINE GUBITCHEV had been arrested and that he was asked to come down to the FBI office. In this connection Mr. WHEARTY stated: "Mr. BELMONT, who is the Assistant Special Agent in Charge, told me that he had a car in the vicinity and that he would have one come over and pick me up, and where would I be". He explained that he was picked up by an FBI car and taken to the FBI office. Later on, the same date, during the cross examination of agent, Mr. PALMER, in a discussion with Mr. WHEARTY, read the following, which was contained in the JUDITH COPLON log:

"4:40 AM, BELMONT and ROBINSON entered room, at which time, BELMONT advised COPLON she would be taken before a judge in a few minutes and she could advise the judge anything she desired, as well as make any request that she desired.

ROBERT J. WIRTH, SA.

65-14932-619A *Sm*

F. B. I.	
NOV 7 1949	
N. Y. C.	
ROUTED TO <i>Mr. Belmont</i>	FILED <i>gib</i>

RJW:JMK

65-14932



United States Department of Justice
Federal Bureau of Investigation

New York, New York

IN REPLY, PLEASE REFER TO

FILE NO. _____

November 4, 1949

MEMO FOR SAC SCHEIDT

RE: JUDITH COPLON
ESPIONAGE - R

There will be set forth hereinafter in this memorandum the circumstances under which the names of Mr. BELMONT and Mr. SCHEIDT were mentioned during the trial of JUDITH COPLON in Washington, D. C. It is felt that they should have the benefit of this in the event Defense Counsel ARCHIBALD PALMER decides to subpoena either or both of them.

This will include all of the testimony, including JUDITH COPLON'S, with the exception of Special Agents MARTIN F. CAREY and EDWARD F. MCCARTHY, who have submitted separate memoranda.

The memorandum will be blocked off according to the individual who is testifying. The numbers in the parenthesis following each paragraph will be the page number in the transcript, as well as the section number of that individual's testimony.

T. SCOTT MILLER, JR.

During cross examination PALMER asked me whether Mr. BELMONT or Mr. SCHEIDT were in the Federal Building on the night of March 4, 1949, after 10:00 o'clock. I was not allowed to answer the question. (4471, Sec. 4).

When PALMER was cross examining me concerning the material which was seized from COPLON, I testified that I knew she was not supposed to handle material pertaining to espionage but that she worked in the Foreign Agents Registration Section. PALMER asked me how I knew that and I told him that Mr. GRANVILLE informed me of COPLON'S duties in Washington. He asked me how Mr. GRANVILLE knew and I told him that Mr. BELMONT informed Mr. GRANVILLE. He wanted to know who told Mr. BELMONT and I told him

TSM:RMC
65-14932

CC: ASAC BELMONT

65-14932-620

F. B. I.	
NOV 9 1949	
N. Y. C.	
ROUTED TO <i>Mr. Scheidt</i>	FILE <i>[initials]</i>

NY 65-14932

MEMO

"Washington," and from there on I answered that I did not know who Mr. BELMONT talked with. At about the same time PALMER asked me if Mr. BELMONT was ever connected with the Foreign Agents Registration Section, which I answered in the negative. At about the same time I told Mr. PALMER that Mr. BELMONT had been keeping me informed of the type of work COPLON did in Washington. (4474, Sec. 4).

At one time when PALMER was questioning me concerning January 14, 1949 and in particular my conversation with Mr. GRANVILLE concerning the then unknown man whom COPLON had met (GUBITCHEV), he asked me whether Mr. BELMONT knew this man's identity at that time and I stated that I did not think he did. (4522, Sec. 4).

Concerning FOLEY'S handing COPLON the deceptive memorandum on the morning of March 4, 1949, PALMER asked me whether Mr. GRANVILLE or Mr. BELMONT had told me that FOLEY had shown COPLON the memorandum concerning Amtorg. I stated that they had not. (4529, Sec. 4).

PALMER asked me whether Mr. GRANVILLE or Mr. BELMONT told me on March 4, 1949 that Mr. WHEARTY was coming up from Washington on that date. I answered in the negative.

During the reading of the arrest log the entry "9:56 PM - Mr. BELMONT and ROGER ROBINSON entered Nurse's office," and also the entry "9:57 PM - Mr. BELMONT and E. F. McCARTHY left Nurse's office," were noted. It will be recalled that SA ROBINSON took SA McCARTHY'S place in assisting in the search of the purse and Mr. BELMONT remained in the room only a brief period of time, as evidenced by the entries. (4587-8, Sec. 5).

Later in the testimony PALMER went back to those entries. PALMER asked me whether Mr. BELMONT was Mr. SCHEIDT'S assistant and I told him that Mr. BELMONT was the Assistant Special Agent in Charge of the New York Office. PALMER asked me whether I recalled whether Mr. BELMONT came into the Nurse's office when I was examining COPLON'S purse and, in particular, at the time when I had just opened the summary of the deceptive memorandum. I stated that I did not recall it. I also told Mr. PALMER that I had not sent ROBINSON to get Mr. BELMONT. PALMER asked me whether I showed Mr. BELMONT the handwritten summary of the deceptive memorandum and I stated that I did. PALMER called attention to the fact that there

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was nothing in the arrest log indicating that I showed Mr. BELMONT the summary and I stated that there was no entry there. PALMER then wanted to know if after showing it to Mr. BELMONT did he tell me that I could go ahead and examine the balance of the purse. This was objected to and the objection was sustained. (4616-18, 20-22, Sec. 5).

I told Mr. PALMER that I had never met Mr. BELMONT in Mr. KELLEY'S office in Washington, D. C. (4636, Sec. 5).

I also told Mr. PALMER that on the few occasions I left the interview room (Conference Room C) and went into Mr. SCHEIDT'S office to confer with Mr. WHEARTY, Mr. BELMONT was also present with Mr. WHEARTY. I also told PALMER that after the completion of the search of the purse and while COPLON was being given a strip search, I contacted Mr. WHEARTY and Mr. BELMONT and summarized the search to them. This was in reference to the entry of 1159 on the arrest log, which showed that I was out about five or six minutes. I stated that I saw Mr. BELMONT and Mr. WHEARTY at the same time in Mr. SCHEIDT'S office. I stated that I did not recall whether I saw Mr. SCHEIDT in his office at the times that I was talking with Mr. BELMONT and Mr. WHEARTY there. (4647-9, Sec. 5).

I also informed Mr. PALMER that on one of the occasions when I went into Mr. SCHEIDT'S office to confer with Mr. WHEARTY about the facts of the case I informed him and Mr. BELMONT about COPLON'S answering all questions with "No comment." (4651, Sec. 5).

When PALMER was reading the arrest log he read the entry "3:50 AM - Mr. BELMONT entered Room C and asked Miss COPLON if she would like to rest on a bed. Miss COPLON said she would not." PALMER asked me if I was in the room at the time Mr. BELMONT asked this question and I said I was. PALMER then read the entry "3:54 AM - Mr. BELMONT left the room," and then wanted to know what Mr. BELMONT did between 3:50 and 3:54 AM. I told him that all I could recall was the question Mr. BELMONT asked, set out in the entry above. PALMER was very insistent on questioning me about this and wanted to know whether Mr. BELMONT told COPLON to sleep in her clothes. I stated that he did not. (4671-3, Sec. 5).

PALMER then read the entry later in the testimony, "4:40 AM -

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"BELMONT and ROBINSON entered room, at which time BELMONT advised COPLON she would be taken before the Judge in a few minutes and that she could advise the Judge anything she desired, as well as make any requests she desired." PALMER wanted to know whether Mr. BELMONT knew that the girl had desired a lawyer and that Mr. WHEARTY had said she should make that request to the Judge. I said that Mr. BELMONT had known that. PALMER wanted to know whether Mr. BELMONT knew that I, twice before 11:00 PM, had told the girl she had a right to have a lawyer. I told PALMER that Mr. BELMONT probably assumed this. PALMER wanted to know whether Mr. BELMONT knew it. I told PALMER that BELMONT assumed it and I did not recall specifically of my telling him this. PALMER then wanted to know whether I recalled Mr. BELMONT coming into the room at 4:40 AM, nearly six hours after COPLON was brought in, and told her that she could ask the Judge anything she desired. I said that I recalled it. In this connection, for Mr. BELMONT'S benefit, PALMER wanted to know the exact words WHEARTY used when I told WHEARTY at approximately 2:23 AM in the morning, that COPLON had demanded a lawyer. My answer was, "To the best of my recollection, Mr. WHEARTY told me that a Judge was being called down or was on his way down and that he would be down shortly and the defendant could make any request she wanted to of the Judge on his arrival." This is substantially what Mr. WHEARTY said on the stand concerning his remarks to me about the same matter. (4680-1, Sec. 5).

Concerning the entries of 5:48 AM and 5:52 AM, when I left and returned to Conference Room C, respectively, PALMER wanted to know whether I had gone to see Mr. BELMONT. I stated that I had not. (4731, Sec. 5).

Concerning the preparations made for the surveillance on March 4, 1949, prior to COPLON'S arrival, I testified that Mr. SCHEIDT was present at the conference that we had on the 29th floor, but that the preliminary discussion before the conference relative to the surveillance was only between Mr. GRANVILLE and myself. I testified that this was before 4:00 PM, on the afternoon of March 4th. PALMER wanted to know if I suggested to Mr. GRANVILLE and Mr. SCHEIDT that they should get into a radio car and go up to the Bennett Avenue section and await developments. I stated that I did not suggest that. PALMER wanted to know whether I knew Mr. GRANVILLE and Mr. SCHEIDT were going out that night on the surveillance. I stated that at the time I talked with Mr. GRANVILLE about the surveillance I did not know that. PALMER wanted to know when, for the first time, did I dis-

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cover the fact that Mr. GRANVILLE and Mr. SCHEIDT were going to go out on this surveillance. I stated that I knew that Mr. GRANVILLE was going out on it just before the general conference began, that is, after my discussion with Mr. GRANVILLE concerning the placing of ears and the placing of men. PALMER asked me, in connection with Mr. SCHEIDT, when, for the first time, did I discover that the head of the Bureau in New York was going out on this particular surveillance that night. I informed him that I knew that about five minutes before I left the office. (4745-8, Sec. 5).

Relative to the surveillance of March 4, 1949 PALMER asked me if I knew that Mr. GRANVILLE had seen Mr. GUBITCHEV pass on the east side of Broadway near Hillside Avenue, and then walk over towards Nagle Avenue. I informed him that Mr. SCHEIDT told me that Mr. GRANVILLE had taken up the surveillance of GUBITCHEV. PALMER wanted to know whether two of the Agents who saw GUBITCHEV on that block between 193rd Street and Hillside Avenue (probably referring to Special Agents ROBINSON and WIRTH), had by some signal notified Mr. GRANVILLE and Mr. SCHEIDT in the car, that GUBITCHEV was walking North. I stated that I had heard the message advising of GUBITCHEV'S movements at this particular time. (4751-2, Sec. 5).

PALMER asked me whether Mr. KENNEDY was put in charge by me of the radio room to give orders. I informed him that he was not and that he was there with Mr. BELMONT. PALMER wanted to know if Mr. BELMONT informed me that he was in the radio room with Mr. KENNEDY and I told him yes. (4765, Sec. 5).

Later in the testimony PALMER came back to the search of COPLON and in particular the pertinent documents removed from her purse. He wanted to know whether I showed them that night to Mr. WHEARTY. I told him I gave them to Mr. BELMONT and Mr. WHEARTY. PALMER wanted to know whether they were together in that room (Mr. SCHEIDT'S office). I said that they were. I told PALMER, in response to a question, that Mr. WHEARTY and Mr. BELMONT were not present during the time I was searching the purse.

In response to a question I told PALMER that immediately after I had finished the examination of the purse, in other words shortly after 11:00 PM, I took the pertinent documents removed from the purse to Mr. BELMONT, who was with Mr. WHEARTY. PALMER wanted to know whether I left the documents with Mr. BELMONT and I stated that I did.

PALMER asked the question, "Now I ask you again, when was it that

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"Mr. WHEARTY or Mr. BELMONT or both told you to desist with the further examination? Was it after, to your knowledge, they had read the contents of those papers or as you gave them the papers from the pocketbook; was that when they told you to desist in the examination?"

I answered the above question, "I just now told you that I took the papers to them shortly after 11:00 PM. Yesterday I told you, and it appeared in the log which you were reading, that I received those instructions about 2:22 AM and the questioning ceased at 2:25 AM."

PALMER'S next question was, "When you came back and got those instructions from Mr. WHEARTY, with Mr. BELMONT present, did Mr. WHEARTY give you back the contents of that pocketbook?" I answered that he did not. (4835-7, Sec. 6).

BREWER WILSON

The only references made to Mr. SCHEIDT and Mr. BELMONT in WILSON'S testimony were that WILSON testified that he saw Mr. GRANVILLE and Mr. SCHEIDT at the scene of the arrest when he, WILSON, arrived. He further testified that Mr. BELMONT came into the Nurse's office during the time that COPLON was there.

THOMAS H. ZOELLER

Agent ZOELLER testified that of all the Agents listed on a paper PALMER handed him, Mr. SCHEIDT was the only one he knew^{who} had not been in Washington in connection with the trial. (3166).

DANIEL F. GARDE

Agent GARDE testified in the cross examination that upon arriving at the scene of the arrest he observed COPLON seated in a Bureau automobile and GUBITCHEV on the street, with Mr. SCHEIDT and Mr. GRANVILLE in the vicinity of GUBITCHEV. He stated that Mr. GRANVILLE was making a search of GUBITCHEV. (3671).

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Agent GARDE said that Mr. SCHEIDT stood in the immediate area with Mr. GRANVILLE while the search was going on and was facing GUBITCHEV. (3674).

JUDITH COPLON

COPLON, on direct examination, testified that MILLER, ROBINSON, WILSON, MANOS and CHARA were in Conference Room C most of the time but that occasionally a man would come in and go out. She said that Mr. BELMONT came in a few times, "maybe twice, I don't remember." (7065, Sec. 2).

Also under direct examination COPLON mentioned that Mr. BELMONT had come into the room and asked whether she would like to lie down but that she did not do so because she thought it was a trick and she might fall asleep and would not see the lawyer. (7076, Sec. 2).

Relative to COPLON'S writing a letter to her landlord in Washington authorizing her brother to go down and bring her things back, COPLON stated that she wrote a letter authorizing either her brother or the FBI to get the things. PALMER then stated, "After I discussed with Mr. BELMONT in New York how to get some of your things out and stop the running of the rent?" COPLON answered, "That is right." (7102, Sec. 2).

Later PALMER asked the question, "At that time, when you wrote this letter, pursuant to permission of Mr. BELMONT, you did not have the keys to your apartment, and your brother did not bring them back, and Mr. MILLER says they still have them." COPLON stated that she did not have the keys. (7105, Sec. 2).

Attention is called to the underlined phrase wherein PALMER intimates that he had to get permission from Mr. BELMONT for COPLON to arrange to have her brother get her own things out of the apartment in Washington.

During the direct examination of COPLON, PALMER was reading a list of things which COPLON had written for her brother's use in determining which of the things in her apartment were hers and which belonged to the building. At the end of the list PALMER said, "Then it says there's a Mr. something, Rector 3515 - I can't read this." COPLON stated that the Mr. something was Mr. BELMONT. (7304, Sec. 3).

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Before the trial actually starts it is suggested that a conference be held by all of the Agents who might possibly be called as witnesses, at which time any phase of the testimony can be discussed, as well as any possible questions PALMER might ask concerning Bureau policy generally or specifically in connection with this case.

T. SCOTT MILLER, JR., SA

New York 7, New York

November 4, 1949

MEMO FOR SAC SCHEIDT

RE: JUDITH COPLON
ESPIONAGE - R

A review of 65-14932-1B148, which is a photostatic copy of the stenographic transcription of the United States District Court, Washington, D. C. trial of JUDITH COPLON, which includes my testimony given on May 18, 1949, reveals that Mr. SCHEIDT'S name was mentioned on that afternoon by Mr. PALMER, Counsel for Defendant.

In cross examination Mr. PALMER asked me the following question:

"Did you know that night, before you got to 14th Street, Mr. GRANVILLE or Mr. SCHEIDT or anyone else was going to arrest the two of them whenever they got to them?" To which I answered "No, I did not".

In above question Mr. PALMER was referring to the night that JUDITH COPLON and VALENTINE GUBITCHEV were arrested.

ROBERT J. WIRTH, SA.

RJW:JMK
65-14932

JMK

65-14932-620A

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FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
NOVEMBER 4, 1949Encable underlined.

Transmit the following Teletype message to: OMAHA URGENT

① JUDITH COPLON; ESPIONAGE - R. SA BREWER WILSON IS NECESSARY WITNESS IN
TRIAL COMMENCING NOVEMBER NINE, FORTY NINE, AT NYC. WILSON SHOULD
REPORT TO SECTION SIX, NYO, MORNING OF NOVEMBER EIGHT.

SCHEIDT

Enc - cy

TSM:MTH
65-14932Approved: Shyl

Special Agent in Charge

Sent 6:50P MPer RS

65-14932-621

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

NEW YORK

NY

FILE NO 65-14932 EED

REPORT MADE AT NEW YORK	DATE WHEN MADE 11/4/49	PERIOD FOR WHICH MADE 8/9 - 10/31/49	REPORT MADE BY T. SCOTT MILLER
TITLE JUDITH COPLON; VALENTINE ALEKSEEVICH GUBITCHEV, was.			CHARACTER OF CASE ESPIONAGE - R

SYNOPSIS OF FACTS:

Trial of COPLON and GUBITCHEV in NY set for Nov. 9, 1949. GUBITCHEV still desires to proceed with trial not represented by counsel. Defendant COPLON'S motion to inspect Grand Jury minutes and to quash indictment because evidence was insufficient and incompetent denied, but no ruling given on motion to return property of COPLON on grounds of illegal seizure. Review of COPLON'S testimony in Washington set out. COPLON in contact with SAMUEL A. NEUBURGER, attorney, who in past has been associated with Communists.

- P -

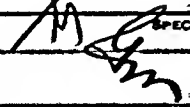
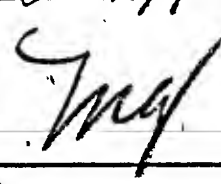
REFERENCE:

Bureau File 65-58365.
Report of SA T. SCOTT MILLER, Jr., New York City,
8/18/49.
Report of SA (A) JOHN A. RUEHLIS, New York City,
10/29/49.

DETAILS:

PROSECUTIVE ACTION TO DATE

On September 28, 1949, Special Assistant to the Attorney General RAYMOND P. WHEARTY and Defense Counsel ARCHIBALD PALMER appeared before Judge WILLIAM P. BONDY and

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
		65-14932-622 
8-Bureau 1-SAAG T. J. DONEGAN Washington Field 5-New York (2 NY 65-14939)		

EED

1 cc Bureau
1 cc [unclear]

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reargued PALMER'S motions to suppress the evidence, for an inspection of Grand Jury minutes and to quash the indictment because the evidence was insufficient and incompetent. Judge BONDY gave no ruling on the motions but intimated that he was going to rule against PALMER but without prejudicing PALMER'S right to make the same motions before the trial judge.

On October 17, 1949, Mr. WHEARTY and Mr. PALMER, as well as Defendant GUBITCHEV, appeared before Judge VINCENT LEIBELL at which time the Government informed Judge LEIBELL that a judge would be available for the trial on November 9, 1949 and requested that the preemptory trial date be set on that date. ARCHIBALD PALMER agreed to that date and said he would be ready for trial. GUBITCHEV was in court and when asked whether he was going to hire an attorney stated that he was not. The Court offered him an attorney but GUBITCHEV stated he did not want one. When GUBITCHEV was asked if the trial date of November 9, 1949, was satisfactory to him, he complained about the numerous postponements and asked when it was all going to end. He was instructed by Judge LEIBELL to be in Court at 10:30 a.m. on November 9, 1949. GUBITCHEV first started speaking in Russian but was instructed by the Judge to speak in English which he did.

An inspection of the Criminal Docket, United States District Court, Southern District of New York, reflected that on October 19, 1949, Judge WILLIAM P. BONDY handed down rulings on two of the motions. Judge BONDY denied the motions to inspect the Grand Jury minutes and to quash the indictment, but made no ruling on the motion for the return of COPLON'S property. Judge BONDY stated that a hearing on this motion would be held at a later and unspecified date.

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[REDACTED]

The following investigation was conducted by SA(A) JOHN A. RUEHLE except where otherwise noted.

[REDACTED]

Through the cooperation of Confidential Informants T-1 and T-2, both of known reliability, the following information was obtained from the

[REDACTED]

b7D

Through the cooperation of Confidential Informant T-3, of known reliability, at the [REDACTED]

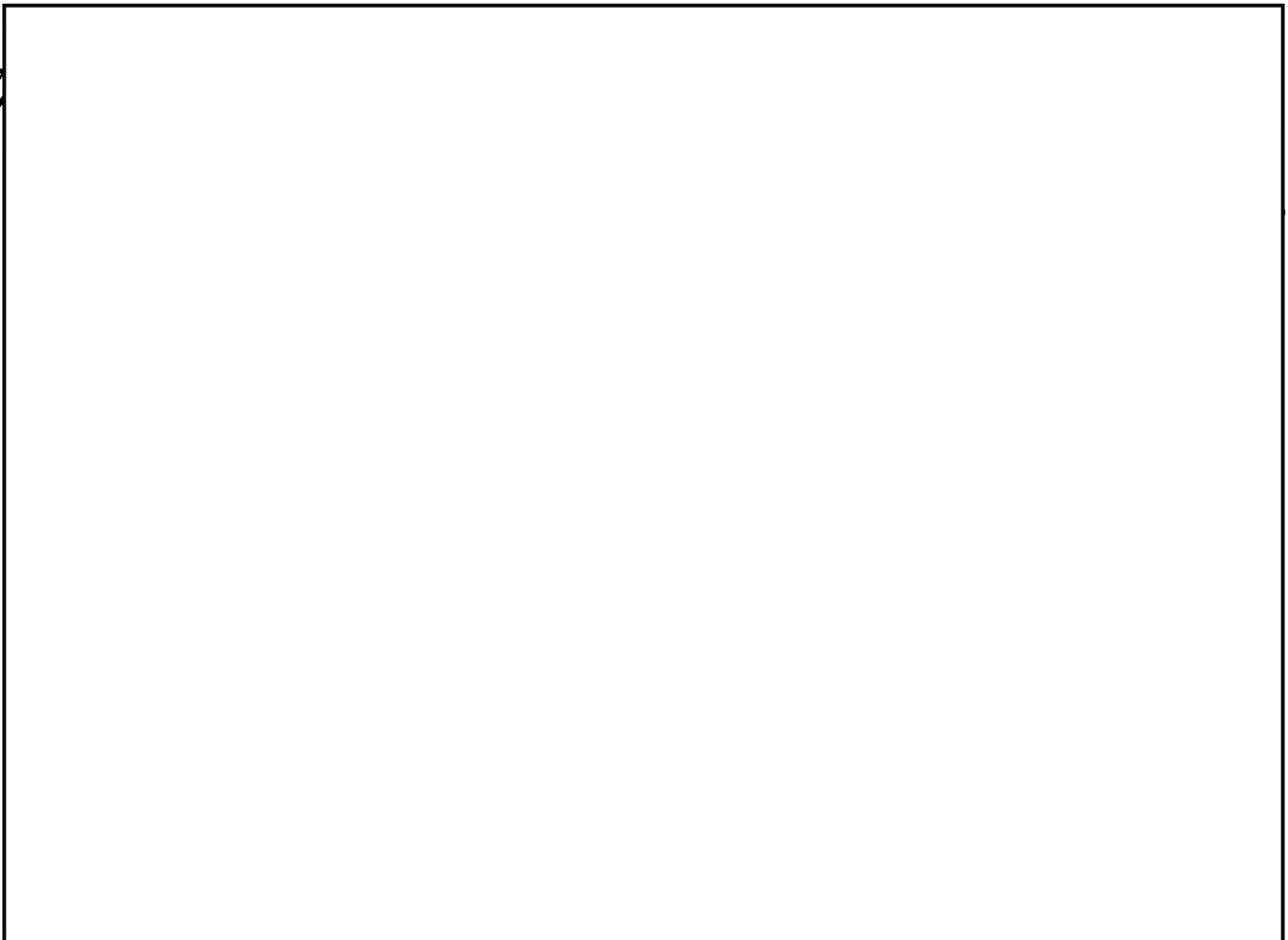
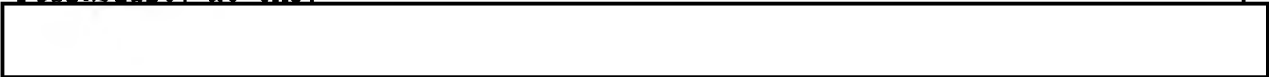
[REDACTED]

[REDACTED]

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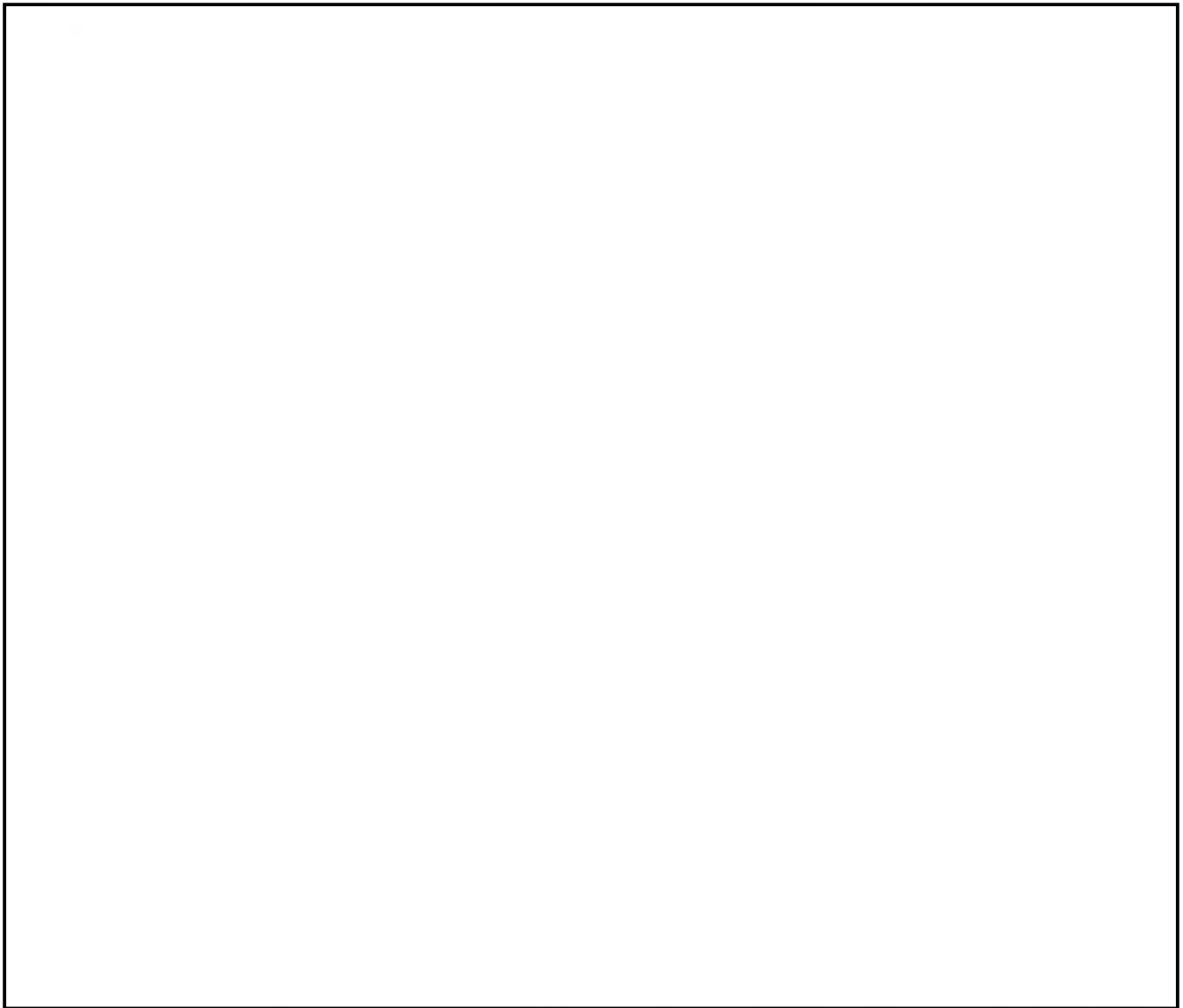


Through the cooperation of Confidential Informant T-4, of known
reliability at the



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Through the cooperation of Confidential Informant T-5, of known reliability, at the [redacted]

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[redacted]
[redacted] Information reported herein should not be disclosed except in a usual proceeding, following the issuance of a subpoena.

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Confidential Informant T-5 advised that this [redacted]

[redacted]

Through the cooperation of Confidential Informant T-6, of known reliability, [redacted]
[redacted] information reported herein should not be disclosed except in a usual proceeding, following the issuance of a subpoena.

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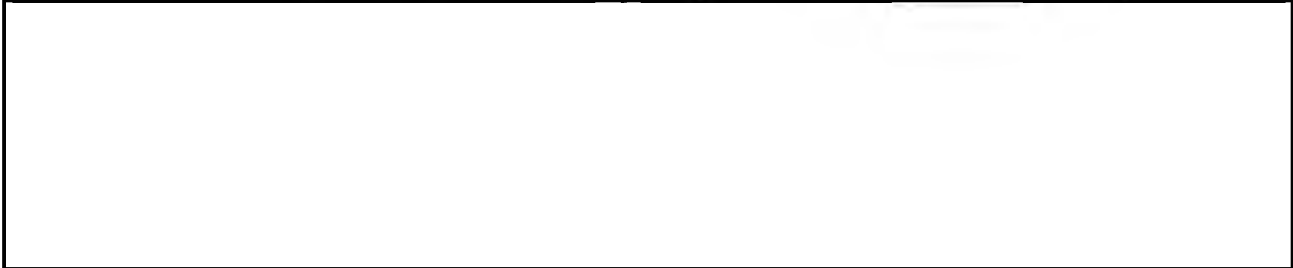
Informant T-6 advised the [redacted]

[redacted]

Various correspondence in the file reflects that this file in 1947 had an agent in Bolivia working on Government orders and that in September 1948 there were negotiations with "friends in Pakistan". The file reflected that in November 1946 there was a discussion of a transaction involving the shipment of 10,000 pounds of rayon yarn to Bombay, India under a letter of credit arrangement.

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The following references ~~regarding~~ this were noted:



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On August 16, 1949, ARCHIBALD PALMER telephonically communicated with Supervisor ALBERT J. TUOHY at which time PALMER said that he had spoken the previous day with Mr. WHEARTY at which time he had told Mr. WHEARTY that he would have COPLON'S brother, BERTRAM COPLON, present himself at this Office to [REDACTED] PALMER said that he had spoken with BERTRAM the previous evening at which time BERTRAM became very excited. He said that BERTRAM claimed that everybody knows that he borrowed the money from friends and that he does not want to divulge the identity of these friends because he does not want the FBI interviewing them. COPLON said that the FBI already knows the [REDACTED] since they [REDACTED] COPLON insisted that when he [REDACTED]

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Continuing PALMER said that BERTRAM COPLON "as we know by this time, is a crazy dope who runs off the handle and makes a lot of bother for nothing". PALMER said that it would be useless to talk to him any further about an interview by the FBI since [REDACTED] [REDACTED] has been checked by the FBI. PALMER stated that he was anxious to cooperate with the FBI in this matter but that he could do nothing with BERTRAM.

On August 17, 1949, PALMER again communicated with Mr. TUOHY and inquired if Mr. TUOHY had any news for him regarding the possible interview of BERTRAM COPLON. He wanted to know if the FBI was going to send someone over to interview BERTRAM. He was advised that we had no intention at that moment of talking to BERTRAM.

REVIEW OF COPLON'S TESTIMONY IN WASHINGTON TRIAL

On Page 7419 of the transcript of the Washington trial while COPLON on cross-examination was being questioned concerning her original meeting with GUBITCHEV in the Museum of Modern Art in New York, in response to a question she stated in part: "... and to the best of my recollection, as I testified, I think it is that Hicks Restaurant on 57th Street, you know, where the stores are, women's stores".

In the "New York Post and Home News" of September 21, 1949, there appears an article by OLIVER PILAT entitled "Days Without End -- Iron Curtain Here Hides Gubitchev". The author set out part of an interview with COPLON and during the interview she advised PILAT that she and GUBITCHEV had originally met at the Museum of Modern Art, 11 West 53d Street, New York City, on Labor Day weekend of 1948. She described how GUBITCHEV remarked, glancing at a blackish-brown or brownish-black futuristic Picasso, "What in the world do you think of that?" COPLON said, "I'm a little confused, myself" and then described to Mr. PILAT how she and GUBITCHEV strolled to the premises of H.

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Hicks and Son, 660 Fifth Avenue, for a chocolate soda apiece.

Attention is called to the fact that there is a Hicks store both on 57th Street and on Fifth Avenue.

On Page 7493 of the transcript there is set out a portion of COPLON'S testimony under cross-examination wherein she was testifying about her second meeting with GUBITCHEV. She testified that she and GUBITCHEV went rowing in Central Park for about an hour and a half or two hours, then got out and sat on the grass for awhile and finally at 6 p.m. went to eat.

SA LESTER O. GALLAHER made inquiry at the Central Park Lake Boat Concession where it was determined that the boat rentals are handled by PETER PAPPAS, 1819 Broadway, New York City.

Miss BLANCHE REDD, Secretary to Mr. PAPPAS, advised that both boat concessions, the one at 72d Street and the one at 110th Street, are operated by Mr. PAPPAS. She stated that both concessions were in operation on September 18th and September 25, 1948 (which are the nearest dates COPLON could fix her second meeting.) Miss REDD further advised that on days when rain interrupts the operation of the concession, a notation is made to that effect in the books of the firm. She said there was no such notation for either of the above-mentioned two dates. Miss REDD stated that the names of individuals renting boats are never requested except in rare instances when an accident occurs. She stated that when a boat is rented, a \$2 deposit is made by the customer, and he is given a ticket showing the time the boat is taken out. This ticket is his receipt for his deposit.

On Page 6983 of the transcript COPLON was asked a question on direct-examinations: "At that time (near the beginning of January) or at any time before you were arrested, did you know you were under surveillance?" COPLON answered: "I had no idea".

Again on direct-examination, PALMER asked the question, "In other words, up to the time the Agents on March 4, when they were going over you, until that time, had you had any impression of any kind that you had been surveilled in Washington or New York, or on the train, that your phone had been tapped or that your mail had been covered?" COPLON answered: "Not by the FBI". PALMER'S next question was: "Nor by anyone else?" to which COPLON said: "No; except I told you about what Gubitchev told me. I did not think I was part of that business." (Referring to her testimony wherein she stated that GUBITCHEV had told her that his wife had detectives following him.)

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After COPLON'S arrest an acquaintance of hers named LOUIS MOSES, who is employed by the Public Housing Administration, Washington, D. C., was interviewed by Agents of the Washington Field Division. He stated that after the weekend of George Washington's Birthday he was returning to Washington from New York and met JUDITH COPLON in Pennsylvania Station, New York City. Mr. MOSES said that he and JUDITH sat together on the train and ate together in the diner. He recalled that in the diner COPLON called his attention to an individual sitting alone at a near-by table and asked MOSES if that individual did not look like "an FBI man". MOSES told COPLON that he had no idea what an FBI man looked like whereupon COPLON immediately dropped the subject.

Attention is called to the fact that COPLON was not under surveillance on the train on her return to Washington on that occasion.

Beginning on Page 7196 under direct-examination COPLON testified as follows:

COPLON: "I did not have a whole meal the whole day. I only had a sandwich before I left for New York. So I walked into that little store, the candy store, and had a pastry and some coffee. Then I had to go to a ladies' room. The nearest one was Bickford's. I established that the night of the eighteenth (February) when I had my shoe repaired.

PALMER: "Tell me how.

COPLON: "I asked him (the shoe repairman) whether there was a ladies' room around. He said there were some taverns, but except for the subway the best one was Bickford's.

PALMER: "The subway would be way up on the hill, blocks away, towards Eighth Avenue.

COPLON: "Yes. I did not know about that tunnel at all until the third night, until March 4.

PALMER: "They told you the nearest place.

COPLON: "He said 'Bickford's around that section'.

PALMER: "So you went down to Bickford's to go to the ladies' room.

COPLON: "Yes. I repeated that March 4...."

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SA WALTER P. GAVIN interviewed PETER RAMUNDO who operates the shoe repair shop at 4500 Broadway, New York City, which is located three doors South of the intersection of 193d Street and Broadway and in which store COPLON went on the night of February 18, 1949. Agent GAVIN obtained a signed statement from Mr. RAMUNDO which statement is being set out as follows:

"New York, New York
September 29, 1949:

"I, Peter Ramundo, 671 West 193rd Street, Apartment 2H, New York City, make the following voluntary statement to Walter P. Gavin, who has identified himself to me as a Special Agent of the Federal Bureau of Investigation. No threats, promises, or duress were used in connection with this statement.

"I am the owner and operator of the shoe repair shop located at 4500 Broadway, New York City, and have worked here for about the past thirteen years. My usual hours of business are from 8:00 A.M. to 8:00 P.M. daily except Sunday. I am the only worker in this shop and I have not employed any other individual to assist me in my work during the past thirteen years. I do not know the location of any Bickford's restaurant in the general area or vicinity of my shoe repair shop. I do not know the location of any Bickford's restaurant anywhere near the neighborhood where my shoe repair shop is located. During February, 1949, I did not direct any woman to a ladies' room in any Bickford's restaurant.

"I have read the above statement and the contents thereof are true to the best of my knowledge and belief.

s/ Peter Ramundo

Witness:

Walter P. Gavin

"

Mr. RAMUNDO stated that if the Government called him as a witness in the trial, he would testify to the above facts. It should be pointed out that RAMUNDO was shown pictures of both GUBITCHEV and COPLON and stated that he did not recognize either one. He further did not recall COPLON'S visit to his shoe shop on February 18th.

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On Pages 7307 ff. COPLON on direct-examination identified the "JEAN CONSTANT" whose name was printed on the "Marianne Et Fils" Card. COPLON referred to this individual as a man, le Jean, and identified him as a fellow passenger who came back on her boat trip from Europe. She described him as an American citizen, naturalized, and as being in the Merchant Marine.

SA LESTER O. GALLAHER obtained the passenger manifest and crew list of the S. S. WISCONSIN which arrived in the Port of New York on July 24, 1948, having sailed from LeHavre, France, on July 14, 1948. This manifest was furnished Agent GALLAHER by Mr. B. J. KELLEY, Immigration and Naturalization Service, 70 Columbus Avenue, New York City. This material is contained in Book #162 91 bearing date of July 24, 25, 1948, on Pages 13 through 20. The passenger manifest lists JUDITH COPLON as a first-class passenger. Her address was given as 178 Ocean Parkway, Brooklyn, New York, age twenty-seven, female, single, Passport Number 204,249. The manifest listed her place of birth as Brooklyn, New York, and upon her arrival she had four hand bags and one box. A search of the complete passenger and crew lists failed to disclose anyone by the name of JEAN CONSTANT. The nearest name to this name was an alien arriving under the name of SIMON CONSTANTINI who was destined to 5627 28th Street, Woodside, Long Island. The manifest indicated that CONSTANTINI was a male, thirty years of age, single, of French nationality, and arrived under Visa Number "I641077".

A photostatic copy of the passenger manifest and crew list was furnished the Washington Field Division and a copy is being maintained as an exhibit in the New York Office.

On Page 7671 of the transcript COPLON was testifying under cross-examination concerning her February 18, 1949, meeting with GUBITCHEV. She was asked: "When you got to the corner of 193d Street, why didn't you go in the candy store and ask if your friend (GUBITCHEV) had arrived?" COPLON said: "I did not think they would know who my friend was. I looked around for Mr. Gubitchev. I thought maybe he was in one of those restaurants going downtown." COPLON was asked: "Did you think he would be in a restaurant when he said he would be on the corner?" to which COPLON said: "It was a cold sort of night and I thought he went in to get a beer."

In the "New York Post and Home News" article of September 22, 1949, referred to above, COPLON, according to Mr. PILAT, said she was inclined to doubt if GUBITCHEV was leading a carefree life of dissipation. She said "Mr. Gubitchev never smoked or drank. I like the smell of a cigar, but I don't smoke and I drink only wine."

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PHYSICAL SURVEILLANCE

On September 2, 1949, SAs EDWIN R. TULLY and STEPHEN A. McGARR instituted a surveillance at the Hotel Vanderbilt, 34th Street and Park Avenue, New York City, at 1:45 p.m.

At 2:40 p.m. JUDITH COPLON entered the hotel and met an individual described as follows:

Sex;	Male
Height;	5' 10" to 5' 11"
Weight;	170 to 175 pounds
Age;	About thirty-five
Hair;	Dark brown
Wearing Apparel;	Well dressed; no hat

COPLON and this man immediately left the hotel and entered a car parked outside which was a 1947 two-door Buick bearing New York Tapes 2Y-4825.. COPLON was carrying an overnight bag. No attempt was made to continue the surveillance.

The records of the Motor Vehicle Bureau of the State of New York reflects that the above tags were issued to SAMUEL A. NEUBERGER of 170 Hawthorne Street, Brooklyn, New York.

Samuel Abraham Neuburger, aka
Samuel A. Newberger, Samuel A.
Neuberger, Samuel A. Newburger

The Brooklyn Telephone Directory lists SAMUEL A. NEUBURGER as residing at 170 Hawthorne Street, Brooklyn, New York. The Manhattan Telephone Directory lists SAMUEL A. NEUBURGER as an attorney at 76 Beaver Street, New York City.

A news bulletin published by the International Labor Defense, dated April 12, 1941, reflected that the Third Biennial National Conference of the International Labor Defense was held at New York City on April 4, 5 and 6, 1941. SAMUEL A. NEUBERGER, identified as Chairman of the Legal Staff of the ILD, was one of the main speakers.

Confidential Informant T-7, of known reliability, advised on May 27, 1941 that ROBERT MINER, then Vice-President of the Communist Party, held a conference at his office which conference was attended by SAMUEL NEUBERGER, ABE UNGER, and DAVE FRIEDMAN, all New York attorneys, and ANNA DAMON, National

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Secretary of the I.L.D. According to the informant, this conference was held in connection with ELI JAFFE Criminal Syndicalism Case at Oklahoma City, Oklahoma, as well as similar trials in other States. MINER was alleged to have indicated an absence of alertness on the part of the Communist Party attorneys. The primary purpose of the conference was apparently to make certain that the attorneys were familiar with these various cases.

Confidential Informant T-8, of known reliability, stated that on February 10, 1942, a rally of the Committee for the Release of Earl Browder, sponsored by the Chelsea Unit of the Communist Party, was held at Spartacus Hall, 25th Street and Eighth Avenue, New York City, at 8:30 p.m. SAMUEL A. NEUBURGER, member of the Lawyers Guild, argued that EARL BROWDER (the then National Secretary of the Communist Party) was guilty of no crime and even if he were, the sentence was out of proportion to the nature of the offense as shown by the sentences imposed in similar cases.

The "Daily Worker" of December 29, 1940 named NEUBURGER as a defense attorney in Oklahoma Syndicalism Cases. The "Daily Worker" of September 25, 1940, named him as the defense attorney for thirty persons charged with perjury and false pretenses in cases involving circulation of Communist Party petitions in Pittsburgh, Pennsylvania.

Under date of October 20, 1943, the "Daily Worker" indicated that NEUBURGER had withdrawn his candidacy for the New York City Council and was a member of "The Citizens' Interracial, Non-partisan Committee for Cacchione and Johnson". The paper stated that CACCHIONE was a Communist candidate and JOHNSON was the Republican candidate for Council positions.

The "Daily Worker" for April 27, 1945 carried an article stating that NEUBURGER, "famed labor lawyer", would address the Flatbush Club of the Communist Political Association (presently the Communist Party) on "GI Bill of Rights".

Confidential Informant T-9, of known reliability, stated that on February 5, 1945, NEUBURGER made arrangements to visit EARL BROWDER at the latter's office, but the informant was unable to give any information regarding the purpose of this visit.

Confidential Informant T-10, of known reliability, stated on May 21, 1943 that NEUBURGER was a well-known Communist lawyer who was often mentioned in the "Daily Worker". According to the informant, NEUBURGER was accepted into the United States Army as a volunteer officer candidate but was released from the Army on April 29, 1943 because of his active participation in Communist-front organizations.

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Confidential Informant T-10 also stated that NEUBURGER was Chairman of the GERHARD EISLER Defense Rally held at Manhattan Center, New York City, on March 20, 1947. This rally was sponsored by the New York Branch of the Civil Rights Congress. GERHARD EISLER was the admitted Communist who recently fled the United States, defaulting his bond.

The "Daily Worker" for October 16, 1947, contained an article to the effect that LEON JOSEPHSON, American Communist lawyer and one-time volunteer fighter in the "Dangerous Anti-Nazi German Underground", was convicted in Federal Court on October 15, 1947 of contempt of the House Committee on Un-American Activities and immediately sentenced to a year in jail with a \$1,000 fine. The article indicated that SAMUEL NEUBURGER, one of JOSEPHSON'S two attorneys, was the only defense witness to testify.

The "Daily Worker" for January 9, 1948, reflected that a Civil Rights Congress meeting was held on January 8, 1948 at the Academy of Music, Brooklyn, New York to protest the "witch hunt" by Congress. Among the speakers listed was NEUBURGER, identified as Vice-Chairman of the Civil Rights Congress.

The "Daily Worker" for October 10, 1948, contained an advertisement "On the Eve of the American Reichstag Trial Meet the Twelve Defendants and Hear Their Case". The defendants were to be presented by Councilman BENJAMIN J. DAVIS at the Civil Rights Congress Dinner - Forum entitled "Democracy on Trial"; held at the Iceland Restaurant, New York City, on October 14, 1948. Among the speakers was to be NEUBURGER.

The defendants referred to above were the eleven Communist functionaries who were recently convicted in New York for conspiracy to overthrow the United States Government by force and violence.

Attention is called to the fact that the International Labor Defense, the Communist Party, and the Civil Rights Congress, mentioned above, all have been declared within the purview of Executive Order 9835 by the Attorney General.

MISCELLANEOUS

Confidential Informant T-11, of known reliability, who is close to CHARLES RECHT who is the former attorney for the USSR Consulate in New York City, advised that on June 22, 1949, an individual, known only to the informant as "ARCHIE", requested that RECHT contact him at Metropolitan 8178. This telephone number is listed to a public telephone in the Willard Hotel in

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Washington, D. C. The records of the Willard Hotel reflect that ARCHIBALD PALMER, COPLON'S attorney, was registered at the Willard Hotel on that date.

The "New York Post and Home News" of September 21, 1949, contained an article by OLIVER PILAT, entitled "Judy Won't Testify Against Gubitchev". This article contained facts about the COPLON trial as well as portions of an interview with COPLON herself. COPLON told PILAT that she was living with her widowed, sixty-five year old mother, Mrs. REBECCA COPLON, and Mrs. COPLON'S sister at 178 Ocean Parkway, Brooklyn. She said that she visited with her brother, BERTRAM COPLON, occasionally and one or two old friends. One weekend she went swimming at Rockaway and another she spent with the PALMER family at Milford, Connecticut.

She stated that she had not seen GUBITCHEV nor did she wish to see him and mentioned published reports by columnists to the effect that she would turn State evidence against GUBITCHEV in exchange for reduction of her prison term to one year and that she would jettison PALMER as her lawyer. COPLON said: "These stories are vicious because they are directed at the idea of my being guilty. I have told my story. I don't have any other stories. I've told everything. There's nothing on the side. Maybe that's why I have this sort of a drained feeling."

COPLON said that she was unworried by the possibility of a continued FBI surveillance. During the interview PALMER said: "Judith found the Government had built its case on two circumstances. She told her friends openly in Washington she was going around with a Russian in New York. They investigated and found there was a Russian Q.E.D."

COPLON said: "All FBI Agents who watched me admit they never saw any papers passed. Therefore, the arrest was on suspicion. The question whether Agents have a right to arrest anyone and seize papers without a warrant seems to me to be the most important point from the view of Government workers."

The article stated that the day before COPLON came to New York on March 4, 1949, WILLIAM E. FOLEY, a Security Officer in the Justice Department who was her immediate superior, handed her a document with the comment that it was "hot and interesting". FOLEY told her to make notes over the weekend.

Relative to the deceptive memorandum dated March 3, 1949, PALMER said: "The Government admits the part about Amtorg was not true, so it was simply a decoy message."

COPLON said: "As for the geophones, look at this magazine published

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in India. It contains a complete description of how geophones work, and tells where you can buy them in the United States. That would show the decoy nature of the geophone material, but the Court wouldn't admit it in evidence."

PALMER said: "Now, what was the first thing the Agent did after the arrest? He put his finger in the flap of Miss COPLON'S pocketbook. He knew all right that she had put the decoy message there. He didn't think it would still be there, but the trap fell short. It was there."

Continuing, the article said as for the character sketches found on her when arrested, which the FBI charged were personality summaries of persons recommended for espionage work, COPLON said they were nothing but literary exercises. It was indicated that she reached for a copy of SOMERSET MAUGHAM'S "The Summing Up" and read passages explaining how the famous author developed fictional characters from sketches of friends and acquaintances.

The "Newburgh News" of Newburgh, New York, on October 12, 1949, carried an article stating that JUDITH COPLON arrived at Plum Point, New York, on October 7th, for a rest. Her attorney, ARCHIBALD PALMER, explained that Miss COPLON has had numerous visitors in New York and she has been under strain and unable to get proper rest.

VALENTINE ALEKSEEVICH GUBITCHEV

PHYSICAL SURVEILLANCE

On October 17, 1949 SAS ARTHUR AVIGNONE and CHARLES P. SILVERTHORN observed GUBITCHEV arriving at Court Room #2, Room 318, United States Court House, New York City, in the company of YURI NOVIKOV and LEV TOLOKONNIKOV of the USSR Embassy, Washington, D. C. At 10:40 a.m. GUBITCHEV and his two companions left the Court Room, walked across Foley Square to Pearl and Lafayette Streets where they waited on a park bench. At 11 a.m. the three were joined by an unidentified man and all four got into a 1948 Black Four-Door Plymouth and drove to 680 Park Avenue where the USSR Delegation to the United Nations Building is located. They were surveilled by the two above-named Agents and SAS ROBERT F. ROYAL, PAUL J. BLASCO, EDWARD C. MORGAN, and JAMES J. MOFFITT.

At 11:37 a.m. GUBITCHEV and an unidentified man left 680 Park Avenue and proceeded by automobile to the USSR Estate located on Dororis Lane, Glen Cove, Long Island, where the surveillance was discontinued.

MISCELLANEOUS

WALTER WINCHELL'S column in the "New York Mirror" of September 14, 1949, stated: "Valentin Gubitchev, the Russian to be tried soon with Judith Coplon, does the bistros sporting a flaming red tie and a body guard."

The "New York Post and Home News" of September 22, 1949, contains an article by OLIVER PILAT in which he described his efforts to obtain an interview with GUBITCHEV which met with no success.

WALTER WINCHELL'S column in the "New York Mirror" of September 30, 1949, stated: "Valentin Gubitchev, accused by the United States in the Judith Coplon case, is being unshackled by his Russian wife."

WALTER WINCHELL'S column in the "New York Mirror" of October 17, 1949, stated: "Moscow nixed Mrs. V. Gubitchev's request for a melting. The date of his trial with Judith Coplon will be decided today. He may refuse counsel."

- P E N D I N G -

ADMINISTRATIVE

CURRENT ACTIVITIES OF JUDITH COPLON

The information being set out hereinafter was furnished by Confidential Informant T-12, of known reliability, who is close to the COPLON family and is able to report on many of JUDITH COPLON'S conversations with her family, friends and Attorney ARCHIBALD PALMER.

On August 9, 1949, PALMER was in contact with JUDITH. During the discussion that ensued PALMER stated that he was going to Washington, D. C. for several reasons:

- (1) Trying to find BUCKLEY (phonetic) is a waste of time here;
- (2) Will go to see WHEARTY -- He told JUDITH he does not want her along when he sees WHEARTY; and
- (3) He will go to the Circuit Court of Appeals.

The balance of the discussion dealt with JUDITH'S apparent hysterical condition of this past weekend.

On August 10, 1949, the informant was again present when PALMER met with JUDITH at which time she stated that she had not shown up as agreed because she had gone to see a show. Toward the end of their conversation JUDITH commented: "Yes, I know the FBI is listening. I have two FBI's here and on the phone". The informant indicated that from the manner of JUDITH, it was apparent that the "here" referred to her mother, Mrs. COPLON.

On August 15, 1949, PALMER advised JUDITH about his trip to Washington, D. C., and his conference with RAY WHEARTY and one WILLIAM FOLEY. The topic of discussion was JUDITH'S appeal. PALMER mentioned Judge REEVES' letter about not signing the order. PALMER also mentioned to her that the question arose as to how JUDITH could live in the best hotel in Washington and how easily the \$30,000 bail was raised; also as to why JUDITH'S money cannot be used for the printing. PALMER informed JUDITH that he pointed out that BERT COPLON had borrowed the money from friends and business acquaintances. FOLEY then inquired as to whether the FBI had been around to see either BERT or PALMER. PALMER answered this inquiry in the negative. The question then arose as to why BERT COPLON did not explain the source of the money to the FBI.

PALMER then decided to call Mr. BELMONT and advise him that BERT would not give him (PALMER) any information. JUDITH replied that if the FBI wants to know it should find this out for itself. PALMER told JUDITH he had talked

to BERT but that BERT would not [REDACTED]

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[REDACTED] JUDITH thinks it is silly since "they" have already checked and now are trying to show that "Moscow gold" is involved. JUDITH thinks that as the last resort she might succeed in getting a statement from BERT, and then refers to RAY HEARTY as that "sissy-eyed stinker in Washington. Who the hell does he think he is? He and his illegal methods. He won a trial because he bribed the judge. The judge is in the pay of the government. He couldn't have won otherwise. He doesn't know anything about law--everyone knows that. So he's now lording it over you." PALMER states HEARTY is seeking to have Judge REEVES aid him in having "us" print the record instead of typing it.

On the same date PALMER advised JUDITH he thought it a good idea if they went to the stenographers and obtained a "set" that had never been used. PALMER feels that he can obtain a set if he gives them about \$50 or \$100. They like money and it might be a way out. JUDITH agrees it is a very good idea. They then discussed BERT'S reaction to PALMER'S suggestion that he, PALMER, explain to the FBI the source of the money raised by BERT. ARCHIE decided to call Mr. Belmont in the morning.

On August 16, 1949, the informant advised this Office regarding a discussion between BERT and JUDITH in which the former stated that Mr. Belmont wanted to see BERT. BERT advised PALMER that Mr. BELMONT can call his (BERT'S) secretary and arrange for an appointment, and then if BERT decides he has the time and the interview will be before ten neutral witnesses, he might agree to divulge the source of the funds. JUDITH stated "they" are just trying to prevent the appeal, but that if BERT decides to talk to the FBI he should get a copy of the transcript recording the interview. BERT stated he might go so far as to call in a newspaper reporter. JUDITH mentioned that PALMER called Mr. Belmont this morning but talked to Mr. Tuohy since Mr. Belmont was not in the Office. PALMER will have to call again to obtain an answer.

On August 17, 1949, JUDITH inquired if PALMER had heard from the FBI. PALMER replied that Mr. Tuohy had called and it seems as though "the Bureau is going to stand pat", and by standing "pat" they are "putting us in the box". PALMER then stated that he saw something among the papers in Washington and would like to discuss the matter later. JUDITH agreed and admonished PALMER not to discuss it over the telephone when he called.

On this same date JUDITH advised BERT that PALMER would have to explain the situation to him since she was not too certain as to what had taken place. PALMER wanted to offer a compromise to suggest that "they" find out for

ADMINISTRATIVE (CONT.)

themselves, but that "they won't". ("They" has reference to the FBI). BERT stated he did not care if the telephones were tapped; that he would talk exactly as he pleased when he called JUDITH. He continued his discussion by stating he put up the money for her. JUDITH then suggested BERT execute an affidavit to the effect that he borrowed the money from friends and business acquaintances. BERT replied that if "they" want to know where he got the money, let "them" ask him.

During the course of the conversations above noted, the references to Mr. Belmont and Mr. Tucky are to Mr. A. H. Belmont and Mr. A. J. Tucky of this Office.

On August 23, 1949, the informant, who was present at the time, advised that in a conversation between JUDITH and SIDNEY BERMAN, the latter remarked that he was reading Volume IV concerning MALLEY and BRENNAN (apparently R. E. Brennan and J. F. Malley, Special Agents of the New York Office). The pattern of the testimony was shown pretty quickly and is pretty rough regarding the activities of GUBITCHEV on the 15th. BERMAN was of the opinion that this should have been left out. JUDITH replied that PALMER had taken exception. BERMAN also remarked that he "got a kick out of KELLEY'S leading the witness and putting words in his mouth". BERMAN stated he received an "Excellent" efficiency rating today and that he also received a letter from the Government in reply to his inquiry as to the deductions made from his salary. The deductions amounted to \$950 or \$960. JUDITH then told BERMAN that her telephone is tapped. BERMAN attempted to dismiss the matter and told JUDITH that he got the FRAZER (phonetic) brief, the Supreme Court brief, wherein EDGERTON (phonetic) (?) concurs. BERMAN says it is his opinion that MURPHY dissented but JUDITH believes it was VINSON who dissented.

On August 25, 1949, PALMER advised JUDITH that he was going to meet a "certain party". JUDITH replied, "Oh, yes, Chuck or Tuck (phonetic)". She said she did not know what he could add and (she) prefers to remain in the background. Later the same day PALMER attempted to relate the results of his interview with TUCK (ph.) whereupon JUDITH cut him short and suggested they discuss this matter in private.

On this date, August 25th, SIDNEY BERMAN was in contact with JUDITH at which time he stated he had been with a female companion whom he identified only as the "Connecticut Yankee".

On August 26, 1949, the informant was in contact with Mrs. COPLON, JUDITH'S mother, at which time she said that JUDITH was attending a motion picture show with BERMAN. She also advised informant that the woman living opposite her kitchen window is much interested in JUDITH and gave Mrs. COPLON a check for \$20.

ADMINISTRATIVE (CONT.)

Later on the same date PALMER stated that he wanted JUDITH to meet a lawyer from Chicago, CUTNER (ph), who has some knowledge of improper arrests. JUDITH was non-committal and said that BERMAN has thirty volumes out and is reading them as fast as he can. JUDITH also requested that PALMER invite BERMAN to meet CUTNER (ph.) but PALMER answered, "No".

On August 27, 1949, JUDITH advised PALMER she had received her "check" for "a little over a thousand" and that now she could pay him something.

The informant stated that during a conversation between JUDITH COPLON and her mother on August 31, 1949, JUDITH asked for the telephone number of MURIEL NEUBURGER (phonetic). Mrs. COPLON said that this number was Far Rockaway 7-1639. On September 1, 1949, one MURIEL advised JUDITH that SAM (probably SAMUEL NEUBURGER) would be in the city on the following day and that JUDITH could come out with him.

Attention is called to the fact that the following day, September 2, 1949, COPLON was observed to meet a man at the Vanderbilt Hotel who was believed to be SAMUEL NEUBURGER.

On September 19, 1949, JUDITH COPLON was contacted by one RUTH. The topic of conversation was JUDITH'S trial in Washington, D. C. Apparently RUTH and JUDITH had not seen one another for quite some time since their talk dealt with their school years, JUDITH finally telling RUTH that she had not called her (RUTH) because of "definite reactions" resulting from the trial. JUDITH advised there will be a hearing on Wednesday, presumably September 21st, which was postponed, on the motions made by PALMER pertaining to inspection of the jury and the return of "the papers" on the grounds that the arrest was illegal. JUDITH then discussed the judicial system and was quite critical of it. She stated that a judge will probably be brought in from Missouri, adding "That's why I was convicted". RUTH brings up the matter of the trial record and JUDITH states it is replete with errors, of which three form the basis for appeal, to wit:

1. That the Grand Jury and Petit Jury are composed of Government workers "and there's a Loyalty Program (inferring that a conviction is indication of loyalty on part of jurors).
2. The FBI arrested without "reasonable cause" and without a warrant. It (FBI) must believe that there will be an attempt at escape to arrest without a warrant, and

ADMINISTRATIVE (CONT.)

3. The judge's charge to the jury which was prejudicial and that the judge would not permit certain papers to go to the jury.

They then discuss the sentence imposed on JUDITH and then the SHAPIRO phase of the trial. JUDITH states the reports in the papers in this respect were inaccurate. RUTH is of the opinion that it was brought into the trial in an effort to discredit the defendant. JUDITH replied that the introduction of "fornication" into the trial caused the jury to become "the great moral puritan" but does not believe this convicted her. She believes the judge convicted her by failing to reasonably define the meaning of "intent" and defining it only by analogy. The judge also failed to define "reasonable doubt" despite PALMER'S request that he do so. The remainder of the conversation dealt with personal matters and is not believed of interest here.

On September 20, 1949, the same informant advised that JUDITH and PALMER are attempting to ascertain whether the testimony given before the Grand Jury is the same as that given during the trial.

On September 30, 1949, this informant had occasion to be present during a conversation between JUDITH COPLON and a woman introduced to him solely as LENORA (ph.). This conversation was largely of a social nature; however, JUDITH mentioned that she was going away for a short vacation. She contemplated leaving New York City either Wednesday or Thursday (October 5th or 6th) and might go to Plum Point, New York, or a place similar thereto. She did not specify her destination.

On October 3, 1949, informant was present during a discussion between SID BERMAN and JUDITH COPLON. At this time JUDITH indicated she would probably go away on Thursday since she had too many chores to do which would not permit her to depart on Wednesday. The other item of interest mentioned during the discussion was BERMAN'S mention of a volume being "mostly documents". JUDITH then mentioned the names of several individuals who testified during the trial; namely, LAMPHIRE, FOLEY, MENDENHALL and FLETCHER. She then stated that it is not true that FOLEY only suspected that the document was a plant (intimating that he had knowledge thereof). She then made reference to the accident involving Justice DOUGLAS and at the same time stating he is a liberal, and also referring to Justices RUTLEDGE and MURPHY as having been liberals. JUDITH then mentions "Our friend Tom, he is young in mind and spirit".

On October 5, 1949, in informant's presence, JUDITH made a telephone call to Englewood 3-3366, to a person not identified to the informant. Much of the conversation is not noteworthy, but JUDITH mentioned that she was leaving on Thursday, (October 6th), late in the morning, and that she was going to an

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off-season resort near Newburgh, New York. In this connection JUDITH had previously mentioned she might go to Plum Point. It is noted that there is a Plum Point, a private resort, on Route 9W on the southern outskirts of Newburgh.

A second telephone call was made by JUDITH COPLON, this time to ARCHIBALD PALMER. At the conclusion thereof, she advised the informant that PALMER had instructed her not to talk about her case.

On October 6, 1949, JUDITH advised PALMER that BERTRAM had called "our friend". JUDITH obtained this information from SHIRLEY, BERTRAM'S wife. SHIRLEY told JUDITH that he ("our friend") was extremely curt and cold toward BERT. BERT had called "him" and told him who he was and that he wanted to come to Washington and meet "him". JUDITH concluded by stating that BERT apparently is in Washington and made an appointment with "our friend".

Later on this same date JUDITH advised the informant that BERT was registered at the New Howard Hotel in Baltimore.

Still on this same date and in the informant's presence, JUDITH called Plum Point #4270 (Newburgh, New York) and asked for BEVYLE or ADA. She spoke with ADA. JUDITH advised she wanted inexpensive accommodations and that she would arrive tomorrow (October 7, 1949).

At approximately 9:20 P.M. on October 6, 1949, PALMER advised JUDITH that BERT had called to say he had part of the "reams" with him and the remainder was coming via express. JUDITH interrupted to state, "Reams and covers?" whereupon PALMER stated that BERT would arrive from Baltimore tomorrow night (October 7, 1949), bringing the "stuff" to PALMER. JUDITH asked PALMER if everything was satisfactory. PALMER replied, "Twice that amount". JUDITH and PALMER concluded that "he" is a "stinker" and a "louse".

On October 7, 1949, JUDITH advised this informant that she was leaving for Plum Point at 11:20 A.M. on October 7, 1949, via Consolidated Bus Company, leaving from 41st Street and Seventh Avenue, New York City.

It should be noted that in the previous letter to the Bureau containing information furnished by Informant T-12, one BRAXTON O. WATSON was mentioned. It is believed on the basis of information contained in the instant letter under date of October 6th that "our friend" and "him" refer to WATSON of 11 Riggs Road, N.E., Washington, D. C. In this connection it is noted that a Mr. and Mrs. WATSON operated the Washington Reporting Company, 805 G Street, N.W., Washington, D. C. They were the court reporters during the COPLON trial in Washington, D. C. If the WATSON of 805 G Street is identical with the

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WATSON of 11 Riggs Road, N.E., then he has been previously contacted by the Washington Field Office and it is felt that he can again be contacted to determine the nature of the present PALMER-COPLON-WATSON dealings.

COPLON'S EUROPEAN TRIP

Confidential Informant T-13, of known reliability, advised on

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The records of the District of Columbia Motor Club, AAA, reflect that during COPLON'S trip in Europe her tour left Paris on June 6, 1948 and included places in southern France and northern Italy but did not include a visit to Rome.

While testifying on cross-examination COPLON stated that she went to Italy twice, once on a Cook's tour (referring to the tour mentioned above) and once on her own later to see Florence and Rome. She stated that on her second trip to Italy she took a train from Paris to Rome and on the way back stopped in Florence. COPLON returned to the United States on July 24, 1948, and this would be her trip to Rome in the latter part of June or the early part of July 1948.

It will be recalled that Confidential Informant T-14, of known

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JOSEPH KATZ was connected with the NATHAN GREGORY SILVERMASTER group in Soviet espionage, according to Confidential Informant T-15, of known reliability, and when publicity was given in the press concerning the SILVERMASTER group, all Soviet Agents connected with KATZ might have had to cease their operations, at least temporarily.

When HELEN SIEGEL, a close friend of COPLON, was interviewed after the latter's arrest, SIEGEL stated that shortly after COPLON got back from Europe COPLON advised that she, COPLON, would begin making trips to New York

ADMINISTRATIVE (CONT.)

more regularly and, therefore, would be able to see SIEGEL more frequently than three or four times a year as she had done in the past. COPLON did not offer any explanation as to the reason for these regular visits to New York but said that her mother had recently gotten sick and COPLON'S being at home to take care of her father, who was also sick, would enable her mother to get out of the house more often.

With reference to this explanation given to SIEGEL, it is noted that investigation of COPLON through surveillances has indicated that on her trips to New York she spent very little time at home and utilized much of her visits to her own advantage. Investigation has further shown that ETTA MOROH, Mrs. COPLON'S sister, was residing with the COPLON family.

In COPLON'S testimony on the stand she said that she first met GUBITCHEV on Labor Day weekend of 1948 which would be a little more than a month after COPLON'S return to the United States. The above is being set out to point out the possibility that COPLON'S trip to Europe was for the purpose of reactivating her as an agent for the MGB.

VALENTINE ALEKSEEVICH GUBITCHEV

It will be noted in the referenced New York report of the writer that measures were taken to prevent GUBITCHEV'S departure from the United States. During the period of this report, the New York Office covers all outgoing Trans-Atlantic and ticket reservations by the Soviets which are reported in advance by the various airlines and by Confidential Informant T-16, of known reliability. The flights are covered by physical surveillance to determine if GUBITCHEV attempts to depart.

Relative to ships leaving the Port of New York, all Soviet and satellite ships are surveilled by the Immigration and Naturalization Service on a twenty-four basis and by New York Agents of the FBI on the day of departure. Ships carrying less than seventy-five passengers are surveilled only when a check of the manifest reveals any Soviet or satellite nationals. All passenger ships carrying seventy-five or more passengers are surveilled by Agents of the FBI on the date of departure as a matter of course.

Stop notices placed nationwide against GUBITCHEV'S departure are being continued.

NY 65-14932

LEADS

NEW YORK

At New York, N. Y.

Will attempt to ascertain the identity of JEAN CONSTANT.

Will follow prosecution in this case.

WASHINGTON FIELD

At Washington, D. C.

Will check with War Shipping Administration to determine if it has a record of a JEAN CONSTANT in the Maritime Service.

NY 65-14932

CONFIDENTIAL INFORMANTS

The Confidential Informants mentioned in the report of SA T. Scott Miller, dated November 4, 1949 at New York City, are as follows:

T-1 -

T-2 -

T-3 -

T-4 -

T-5 -

T-6 -

T-7 - Anonymous Source

T-8 - Special Squad #1,
New York City Police Department,
400 Broome Street
New York City.

T-9 - NYT 26

b7D

NY 65-14932

T-10	-	United States Army	
T-11	-	<div data-bbox="571 492 717 553" style="border: 1px solid black; width: 95px; height: 30px;"></div>	b7D
T-12	-	Confidential Informant <div data-bbox="933 560 1068 625" style="border: 1px solid black; width: 88px; height: 32px;"></div>	
T-13	-	<div data-bbox="571 621 837 737" style="border: 1px solid black; width: 173px; height: 57px;"></div>	
T-14	-		b3
T-15	-	ELIZABETH TERRILL BENTLEY	
T-16	-	NYT 507	

Federal Bureau of Investigation
United States Department of Justice
New York - New York

November 4, 1949.

MEMORANDUM

RE: JUDITH COPLON
VALENTIN GUBITCHEV
INTERNAL SECURITY - R

Mr. H. B. Fletcher of the Bureau called at noon today and furnished a list of the persons who will have to be available on November 9th. He said the two who are probably coming up first and should be immediately available are Granville and Miller; that the following should be available within a matter of short call:

✓Miss Manos
✓Wilson
✓Malley
✓Murphy
✓Ward
✓McCarthy
✓Carey

✓Robinson
✓Garde
✓Brennen
✓Hradsky
✓McAndrews *WIA*

He mentioned that Lamphere, Mendenhall and himself were also to be available from the Bureau.

EDWARD SCHEIDT
SAC

ES:gu

65-14432-622 A 8

NOV 10 1949

William

✓	MR. SCHEIDT
✓	MR. BELMONT
✓	MR. WEEFLAN
✓	MR. COLLIER
✓	MR. GRANVILLE
✓	MR. LADD
✓	MR. NICHOLS
✓	MR. ROSEN
✓	MR. TRACY
✓	MR. CLEGG
✓	MR. GLAVIN
✓	MR. HARBO
✓	MR. MOHR
✓	MR. WINTERROWD
✓	MR. WOOD
✓	MR. WOLL
✓	CHIEF CLERK
✓	PROPERTY CLERK
✓	TRAINING UNIT

Director, FBI

November 4, 1949.

SAC, New York

JUDITH COPLON;
VALENTINE ALEXSEVICH GUBITCHEV, was.;
ESPIONAGE - R
(Bureau File 65-58365)

Reference is made to the report of SA T. SCOTT MILLER, dated November 4, 1949, at New York City, copies of which are enclosed.

It will be noted that this report covers both material on COPLON and GUBITCHEV and, therefore, the copies should be split and put in the COPLON and GUBITCHEV files.

It will be noted that no information was put in the report concerning the possible reinterview of PAULINE SLAVIN, set forth in New York letter dated October 18, 1949. In the event the Bureau authorizes a reinterview of SLAVIN it will be done and the results will be set forth in report form.

[Handwritten signature]

Encls. (8)

cc: Washington Field (4 Encls.)
cc: NY File 65-14939 (2 Atts.)

65-14932
TSM:KED

15.14932-623

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

NEW YORK

NY FILE NO.

65-14932

REPORT MADE AT NEW YORK	DATE WHEN MADE 11-4-49	PERIOD FOR WHICH MADE 10/23, 31; 11/1, 2, 3, 4/49	REPORT MADE BY EDWIN R. TULLY
TITLE JUDITH COPLON; VALENTINE ALEXSEVICH GUBITCHEV			CHARACTER OF CASE ESPIONAGE - R

SYNOPSIS OF FACTS:

Results of credit, criminal and indices check on members of jury panel from which petit jury will be selected for COPLON, GUBITCHEV trial set out.

- P -

REFERENCE:

Bureau teletype, 7/1/49
Teletype to Bureau, 10/18/49

DETAILS:

On November 1, 1949, 152 names were obtained from Mr. JOSEPH MC KENZIE, Jury Clerk, Southern District of New York. Mr. MC KENZIE explained that these names comprised the only jury panel from which a petit jury may be drawn in the Southern District of New York from November 1 to November 14, 1949, inclusive, and since the trial date in this case has been set for November 9, 1949, the jury will be selected from this panel. These names were checked against the records of the Credit Bureau of Greater New York, the New York Police Department, and the indices of the New York Office of the FBI. Where any of these checks revealed the name of the spouse of the prospective juror, the spouse's name was checked against the files of this office.

Where no comment is made under any name relative to any of the three sets of records, it will mean that no record was found or no derogatory information on the individual was located. The absence of any comments relative to checking the name of the spouse, when such was known, will mean the same thing.

It will be noted that in some instances, derogatory information was found in the files of this office concerning an individual whose name is the

APPROVED AND FORWARDED: <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES 65-14932-624
COPIES OF THIS REPORT 5 - Bureau 1 - S.A.A.G. T.J. DONEGAN 2 - New York		
10065-14939		

NY 65-14932

same as the prospective juror, but there was insufficient information in the files to determine if the two individuals were identical. A comment will be made in each instance where this occurs.

CONFIDENTIAL INFORMANTS

The Confidential Informants mentioned in the report of SA EDWIN R. TULLY, New York, New York, dated [redacted] are identified as follows:

T-1	[redacted]
T-2	U. S. Civil Service Commission
T-3	MD 426
T-4	MD 425
T-5	[redacted]
T-6	Headquarters Second Service Command, Governors Island, N.Y., U.S. Army
T-7	[redacted]
T-8	ONI
T-9	A highly confidential source NY file 100-86897-149
T-10	[redacted]
T-11	WFO informant [redacted]
T-12	[redacted] mentioned in New York file 100-82748.
T-13	A highly confidential source mentioned in the case file Ernest Wetmore Pittman, Applicant, ORA
T-14	Ben Mandel, Director of Research, Committee on Un- American Activities
T-15	[redacted]
T-16	Dies Committee report, Appendix 9, Page [redacted]

b7D

NY 65-14932

CONFIDENTIAL INFORMANTS (Cont'd.)

T-17



T-18

A trash cover maintained on the residence of Shirley M. Reich, functionary of the Jackson Heights Club, CPA

T-19

Miami informant MF 241

b7D

T-20

Miss Lee Marion, Hotel St. James, 109 W. 45 Street, New York City

T-21

Office of Secretary of State, Albany, N.Y.

T-22



New York, N.Y.
November 4, 1949

MEMO:

Re: MAX SCHWARTZ

Reference is made to the attached
letters of May Schwartz, 141 Neptune
Avenue, Brooklyn 24, New York,
addressed to Federal Judge LEIBELL,
U.S. Court House, postmarked October 18,
October 21 and October 22, 1949.

Mr. J. C. CICCONE, U.S. Mailcarrier,
Coney Island Postoffice Station, advised
that May Schwartz is the owner
and manager of a small business
establishment located at 141 Neptune
Avenue, Brooklyn, where he makes
ladies' change gowns. Mr. Ciccone
stated that May Schwartz resides
at Brighton 6th Street, Brighton Beach.
According to Mr. Ciccone,
continually complains that
is "lousy" and is always walking

65-14932-625

May E. Schwartz
NOV 18 1949
N. Y. C.
ROUTED TO
FILE

back and forth on the avenue
postering him for his mail.
Other than the above, May Schwartz
does not do much talking
as far as Mr. Ciccone knows.

Mr. Ciccone described May Schwartz
as male, white, about 36 yrs. of
age, 6' tall and about 200 #.
Mr. Ciccone did not know whether
May Schwartz was married or single.

Mr. Irving Bloomberg, U.S. Mail-
carrier, Coney Island Postoffice Station,
advised that he has known
May Schwartz since 1938. Mr.
Bloomberg stated that May Schwartz
resides at 2845 Brighton 6th Street,
Brooklyn and has been engaged
in the manufacture of ladies' change
gussets for about the past eight (8)
years. Mr. Bloomberg said that
subject conducts business under
his own name "MAX SCHWARTZ".

and is not incorporated. According to Mr. Bloomberg, Max Schwartz was married but is separated from his wife whose name he does not recall. They have no children.

Mr. Bloomberg declared that Max Schwartz is eccentric because he is always walking back and forth between his business and residence inquiring about his mail. Mr. Bloomberg stated that Max Schwartz generally is a quiet individual.

Mr. Bloomberg described Max Schwartz as about 40 years of age, 6' tall, and about 185 #.

No pertinent identical references were located in the New York files concerning this individual although there were numerous references concerning various persons named MAX SCHWARTZ.

- 4 -

Memo re May Schwartz
11-4-49

No record of subject May Schwartz
was located at the Credit Bureau
of Greater New York.

Walter P. Gavin, SA

Director, FBI

November 4, 1949

SAC, New York

JUDITH COPLON;
VALENTINE ALEKSEEVICH GUBITCHEV
ESPIONAGE - R
Bureau File 65-58365

There are enclosed herewith five copies of the report of SA EDWIN R. TULLY at New York City dated November 4, 1949 in the above titled case. It will be noted that the original copy of this report on bond paper has been designated for the SAAG THOMAS DONEGAN. This has been done for his convenience as it is felt that he will be able to write on the pages and make any notations thereon.

Enclosures (5)

ERT/dht
65-14932

h g

65-14932 - 625A

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
NOVEMBER 4, 1949Encode

Transmit the following Teletype message to: SAN JUAN URGENT
JUDITH COFLON; ESPIONAGE - R. SA JOHN F. MALLEY IS NECESSARY WITNESS IN
TRIAL COMMENCING NOVEMBER NINE, FORTY NINE, NY. MALLEY SHOULD REPORT TO
SECTION SIX, NYO, MORNING OF NOVEMBER EIGHT.

enc. by Jpw

SCHEIDT

TSM:MTH
65-14932Approved: Sliz

Special Agent in Charge

Sent 11/8/49Per 911

65-14932-626

**Federal Bureau of Investigation
United States Department of Justice
New York - New York**

Handwritten signature
EDWARD SCHEIDT
SAC
RECEIVED
NOV 11 1949
PROPERTY UNIT
TRAINING UNIT

November 4, 1949.

MEMORANDUM

**RE: JUDITH COPLON
VALENTIN GUBITCHEV
INTERNAL SECURITY - R**

I telephone Mr. H. B. Fletcher at 2:50 PM on November 4, 1949 and called his attention to the fact that Special Agent Brewer Wilson is at present attached to the Omaha Office and that Special Agent John F. Malley is attached to the San Juan Office.

I said we had prepared teletypes instructing these Agents to be at the New York Office on the morning of November 8th. Mr. Fletcher instructed that the teletypes be held up until 5 PM today and that if we have not heard anything further from Mr. Fletcher by then, we should send these teletypes to Omaha and San Juan.

**EDWARD SCHEIDT
SAC**

ES:gu

65-14932-6269

100 2 1012
Handwritten signature

~~MR. SCHEIDT~~
~~MR. BELMONT~~
...~~MR. WITLAN~~
~~MR. COLLIER~~
...~~MR. C. L. GALE~~
~~MR. HENRY~~
...~~B~~

CLERK
PROPERTY CLERK
TRAINING UNIT

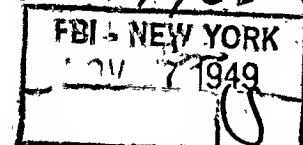
MEMO:

While talking with Mr. Howard Fletcher of the Bureau on November 4th, he advised me of the receipt of subpoenas for him and about twenty other FBI employees to be in New York for the hearing next week; that my name was not included. He read the list which he had, including SA Granville, Miss Manos, SAs Miller, Wilson, Malley, McCarthy, Murphy, Carey, Robinson, Garde, Brennan, Hradsky, McAndrews, and I suggested we be advised so that the Agents can be prepared. Mr. Fletcher said he planned to confer first to see whether some of the names couldn't be deleted, and would be in touch with me later in the day on it.

EDWARD SCHEIDT
SAC

ES : MF

65-14992-627



TS Miller, Jr

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
NOVEMBER 8, 1949

Transmit the following Teletype message to: BUREAU

URGENT

JUDITH COPLON, ESPIONAGE - R. ON NOVEMBER SEVEN JUDGE WILLIAM BONDY DEFERRED A RULING ON PALMER'S MOTION TO DISMISS THE NY INDICTMENT AGAINST COPLON ON GROUNDS OF DOUBLE JEOPARDY UNTIL NOVEMBER NINE. JUDGE BONDY ASKED PALMER IF HE WOULD BE READY TO GO TO TRIAL ON NOVEMBER NINE. PALMER SAID THAT HE COULD NOT GIVE A YES OR NO ANSWER BUT THAT HE WAS READY TO ARGUE THE MOTIONS. BONDY INSISTED ON PALMER'S GIVING A "YES OR NO ANSWER" BUT PALMER SAID THAT HE WAS "SPEECHLESS". JUDGE BONDY TOLD REPORTERS THAT THE POINTS HE WANTS SETTLED ON NOVEMBER NINE ARE WHETHER THE ARRESTING OFFICER HAD REASONABLE GROUNDS TO BELIEVE THAT MISS COPLON WAS GUILTY OF A FELONY AND WHETHER THERE WAS A LIKELIHOOD OF DEFENDANT'S ESCAPE BEFORE A WARRANT COULD BE OBTAINED. HE ALSO WANTED TO KNOW WHETHER THE DEFENDANT WAS THE OWNER OF THE SEIZED PROPERTY OF WHICH SHE DEMANDS THE RETURN. SAAG WHEARTY, WHO WAS NOT PRESENT IN COURT WHEN THE ABOVE CONVERSATION WAS GOING ON, SAID HE WAS INCLINED TO THINK THAT JUDGE BONDY WAS MERELY JESTING WITH PALMER WHEN HE ASKED LATTER WHETHER HE WOULD BE READY TO GO TO TRIAL ON WEDNESDAY. WHEARTY SAID HE WILL MAKE NO EFFORT TO DETERMINE FROM BONDY WHETHER THE LATTER IS ENTERTAINING DEFERRING MOTION ON THE ARREST TO THE JUDGE PRESIDING OVER THE TRIAL OF THE CASE. BOTH WHEARTY AND KELLEY EXPECT TESTIMONY TO START TOMORROW MORNING AND THAT ONLY PLAN THEY HAVE AT THE PRESENT IS TO BRING OUT A

TSM:FJD
65-14932

Approved: _____

Special Agent in Charge

Sent _____

Per _____

65-14932-628

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

PAGE TWO
65-14932

Transmit the following Teletype message to:

WITNESS' COMPLETE STORY IN THE EVENT PALMER CUTS SHORT HIS DIRECT EXAMINATION
OF AN AGENT IN SUCH A WAY THAT THE TESTIMONY IS DETRIMENTAL TO THE GOVERN-
MENT'S CASE. BUREAU WILL BE KEPT CURRENTLY ADVISED OF DEVELOPMENTS AS THE
TRIAL PROCEEDS.

SCHEIDT



Approved: _____
Special Agent in Charge

Sent _____ M Per _____

Office Memorandum • UNITED STATES GOVERNMENT

TO : MEMO

FROM : SA A. J. TUOHY

SUBJECT: JUDITH COPLON
ESPIONAGE - R

DATE: November 8, 1949

This morning, Mr. Leo Laughlin of the Bureau stated that the Bureau desires to be furnished summary teletypes daily when the proceedings start. In instant matter, the procedure to be followed to be similar to the manner in which the Bureau was advised by two teletypes daily in the CP trial and the HISS case, e. g., a teletype at the conclusion of the morning session and a teletype at the end of the afternoon session.

AJT:CTC
65-14932

65-14733-6
F. B. I.
NOV 8 - 1949
N. Y. C.
ROUTED TO *Smiley* FILE *18m*

Office Memorandum • UNITED STATES GOVERNMENT

TO : MEMO

FROM : SA A. J. TUOHY

SUBJECT: JUDITH COPLON
ESPIONAGE - R

DATE: November 9, 1949

This afternoon, I advised Mr. Leo Laughlin of the Bureau that the hearing on the motions before Judge Bondy had not been reached for argument this morning.

cc - 65-14939 (Gubitchev)

AJT:CTC
65-14932

MR. SCHEIDT
MR. BELMONT
MR. LADD
MR. COLLIER
MR. CROWLEY
MR. GLAVIN
MR. HARBO
MR. MOHR
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WEAVER
MR. WHELAN
MR. WILSON
MR. WYATT
MR. ZIEGLER
MR. BROWN
MR. GALE
MR. GIBSON
MR. GURNEA
MR. HENRICH
MR. JONES
MR. KANE
MR. KATZ
MR. KILPATRICK
MR. LEE
MR. LITVIN
MR. MANN
MR. MARSH
MR. MATTHEWS
MR. MCNEIL
MR. MILLER
MR. MURPHY
MR. NEASE
MR. O'NEILL
MR. PETERSON
MR. QUINN
MR. RYAN
MR. SAMPSON
MR. SCHUBERT
MR. SHAW
MR. SIMPSON
MR. SMITH
MR. SPENCER
MR. STANTON
MR. TOLSON
MR. TROTTER
MR. WAGNER
MR. WARD
MR. WATKINS
MR. WILSON
MR. WOOD
MR. WYATT
MR. ZIEGLER
MR. BROWN
MR. GALE
MR. GIBSON
MR. GURNEA
MR. HENRICH
MR. JONES
MR. KANE
MR. KATZ
MR. KILPATRICK
MR. LEE
MR. LITVIN
MR. MANN
MR. MARSH
MR. MATTHEWS
MR. MCNEIL
MR. MILLER
MR. MURPHY
MR. NEASE
MR. O'NEILL
MR. PETERSON
MR. QUINN
MR. RYAN
MR. SAMPSON
MR. SCHUBERT
MR. SHAW
MR. SIMPSON
MR. SMITH
MR. SPENCER
MR. STANTON
MR. TOLSON
MR. TROTTER
MR. WAGNER
MR. WARD
MR. WATKINS
MR. WILSON
MR. WOOD
MR. WYATT
MR. ZIEGLER

65-14932-630

F. B. I.	
NOV 9 - 1949	
N. Y. C.	
ROUTED TO TS Miller	FILE Hfm

DIRECTOR, FBI

November 7, 1949

GUY HOTTEL, SAC, Washington Field

JUDITH COPLON
ESPIONAGE - R

An analysis of telephone calls made by JUDITH COPLON, ARCHIBALD PALMER, Mrs. R. COPLON and Mrs. E. ROGERS while they were residing at the Willard Hotel from April 24, 1949 to July 1, 1949 has been made by the Washington Field Office and calls of possible interest in this matter are hereinafter set out.

On June 13, 1949 a call was made from Room 535, registered to JUDITH COPLON, to Republic 8165 which is listed to the law firm of Wolf, Popper, Ross and Wolf.

POPPER of this firm is MARTIN POPPER, national vice president of the National Lawyers Guild. POPPER has been identified by Confidential Informant [redacted] who is known to the Bureau, as a member of the Communist Party. He is an official in numerous communist front organizations and is in constant contact with officials of the Communist Party, persons reported to be engaged in Russian espionage, and officials of the Russian Embassy in Washington. POPPER, while attending the Nuremberg trials in the summer of 1946, was invited by Russian officials to visit Russia. He was the only member of his group to go to Russia and was flown there in a Soviet Army plane. There he met VICHINSKY and other high officials and made two speeches before Russian bar associations.

Long distance calls were made to the following New York City numbers on the dates listed from Room 535, Willard Hotel.

<u>NUMBER</u>	<u>DATE</u>
Bert Coplon + At 9-4491.....	June 12, 1949
Arch. Palmer + Bu 8-0264.....	June 11, 1949
" " + Ta 3-6127.....	June 12, 1949
Arch Palmer Wo 2-6600.....	June 11, 18, 1949

A total of nine calls were made from Room 534, Willard Hotel between June 6 - 24, 1949, registered to ARCHIBALD PALMER, to telephone number St 0930, listed to I. F. STONE. I. F. STONE is identical with IRVING F. STONE (IEZZIE), a writer for the New York Daily Compass formerly with the New York Star and PM. He is a close contact of a top Communist Party functionary in Washington, ROBERT FOWLER HALL, and with Communist Party members ALFRED DAVID BRENSTEIN, GRETCHEN MOCK EVANS, TILLA MIRONOWITZ, SARA ROSENBAUM and ARTHUR STEIN. STONE is also an associate of ESTAR BAKOFF, co-manager of the Washington Bookshop;

cc: New York

65-5128
TAM:MB

Searched.....
Serialized.....
Indexed.....
Filed.....

TS Miller
65-14932-631

MARTIN POPPER, previously mentioned; DAVID REIN, attorney for NATHAN GREGORY SILVERMASTER and WILLIAM LUDWIG ULLMAN, while the latter two testified before the House Committee on Un-American Activities in August, 1948; ELIZABETH and RICHARD SASULY; DAVID WAHL and PALMER WEBER, an associate of known communists.

Confidential Informant C-516, who is known to the Bureau, advised on June 21, 1949 that STONE had indicated a possible interest in the transcript of the COPLIN court records along with JOE FORER, DICK SASULY, ARTHUR STEIN and DAVID REIN. STONE is also known to have in the past been in contact with officials of the Russian Embassy in Washington.

Long distance calls were made to the following New York numbers on the dates listed from Room 534.

NUMBER	CITY	DATE
Ralph Palmer 3-9067	Tuckahoe, N.Y.	April 26, 1949 and May 3, 1949
6-48714	Long Beach, LI, N.Y.	June 1, 1949
7-1888	Mt. Vernon, N.Y.	April 26, 1949
8-8689	Mt. Vernon, N.Y.	
✓ AC 2-6629	(MR. GOTTILLY)	May 17, 1949
AT 9-8000	(G. WOLF)	June 9, 1949
✓ Bort-AT 9-4491	(NEBEROV)	May 20, 1949
P's Home - BU 8-0844		April 27, 1949
		April 25, 28 May 3, 6, 10, 11, 18, 23, 25, 27
		June 7, 8, 14, 28, 1949
CI 7-7900		May 3, 1949
✓ DE 9-6027	(THEO FREUNDENKIN)	June 21, 22, 1949
IU 2-4620		May 20, 1949
MA 2-1147		April 27, 1949
OR 3-7100	(ADLEMAN)	April 25, May 3, 1949
✓ PL 3-4964	(TORD)	June 3, 1949
RI 9-8200	(DENNESON)	June 13, 1949
✓ UN 4-1021	(H. ZALLIG, ZOLKI, ZOLHA or ZOLKE)	May 25, 1949
		May 18-24, June 8, 10, 21, 1949
UN 4-9495	(GRINIZON, GRANISON)	
P's Office - WO 26600		June 13, 30, 1949
		April 26 May 11
		June 11, 17, 1949

WFO 65-5128

On June 30, 1949, a long distance call was made from Room 536, registered to Mrs. R. COFION to New York, telephone number WA 1-2620.

SAC, Baltimore

November 4, 1949

SAC, New York

REPORT OF MURDER, was. - POLICE;
JOHN STALENSKI; INTERSTATE TRANS-
PORTATION OF MOTOR VEHICLES
(Baltimore file 26-5745)

Reference is made to report of SA DANIEL P. SILVERTHORN, dated March 27, 1949 at New York in the captioned matter.

When this report was being assembled in New York, copies of Page 21 and Pages 24 through 31 inclusive of reference-report were found in one of the Bureau copies of a New York report dated March 28, 1949 in New York file 65-14932.

Offices receiving this letter should check their copies, and Baltimore should check the copy given to USA Baltimore to determine if in order. The file number 65-14932 appears in the upper left corner of all pages in the 65 report. If any are found in the places of the above mentioned pages, they should be destroyed and appropriate pages substituted in their place.

No acknowledgement of this letter is necessary.

cc: Miami (26-8798)
Philadelphia
New Orleans
New Haven
New York 65-14932 ✓

WVJ:J
26-10462

65-14932-632

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE
NEW YORK, N. Y.
NOVEMBER 9, 1949

Transmit the following Teletype message to: BUREAU

URGENT

JUDITH COPLON, ESPIONAGE - R. IN VIEW OF DEVELOPMENTS IN THIS MATTER TODAY, POSSIBLE JURY PANEL WHICH HAS BEEN CHECKED IN ACCORDANCE WITH BUREAU INSTRUCTIONS AND REPORT SUBMITTED WILL NOT BE UTILIZED. NEW JURY PANEL TO BE UTILIZED ON NOVEMBER FOURTEENTH INSTANT CONSISTING OF TWO HUNDRED AND FIFTY FIVE NAMES. MESSRS. WHEARTY AND KELLY HAVE REQUESTED THAT INDICES OF THIS OFFICE BE CHECKED WITH REGARD TO THIS NEW JURY PANEL. HOWEVER, THEY HAVE ADVISED IT WILL NOT BE NECESSARY TO CHECK CRIMINAL OR CREDIT. THEY ALSO ADVISED THAT REPORT WILL NOT BE NECESSARY. IN VIEW OF TIME ELEMENT, THIS MATTER WILL BE HANDLED SIMILAR TO CHECKING OF JURY PANEL IN CONNECTION WITH HISS CASE AND MESSRS. WHEARTY AND KELLY WILL BE FURNISHED WITH INFO FROM NY INDICES CONCERNING THIS JURY PANEL. HOWEVER, REPORT WILL NOT BE SUBMITTED UNLESS BUREAU INSTRUCTS TO CONTRARY.

SCHEIDT

cc - 65-14939 (Gubitchev)

RRG:CTC
65-14932Approved: 

Special Agent in Charge

Sent  MPer 

65-14932-633

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.
NOVEMBER 9, 1949Transmit the following Teletype message to: BUREAU URGENT

JUDITH COPLON, ESPIONAGE - R. IN US DISTRICT COURT, SDNY, TODAY BEFORE JUDGE WILLIAM BONDY, GUBITCHEV WAS AGAIN ASKED IF HE DESIRED COUNSEL AND FURTHER IF HE WERE READY FOR TRIAL. GUBITCHEV REFUSED TO SPEAK ENGLISH AND SPOKE ONLY RUSSIAN. A TRANSLATOR IN COURT WAS ABLE TO TELL JUDGE BONDY THAT GUBITCHEV INSISTED THAT HE WAS RUSSIAN DIPLOMAT AND THEREFORE THE COURT HAD NO JURISDICTION OVER HIM. IN VIEW OF THIS, GUBITCHEV SAID AN ATTORNEY WAS NOT NECESSARY. IN CONNECTION WITH MOTIONS PENDING BEFORE JUDGE BONDY AND FILED BY PALMER, JUDGE BONDY INDICATED DESIRE TO DENY MOTIONS WITHOUT PREJUDICING PALMER TO MAKE THE SAME MOTIONS BEFORE THE TRIAL JUDGE. AN ARGUMENT WAS HAD BY THE GOVERNMENT ATTORNEYS BEFORE JUDGE BONDY IN THE LATTER'S CHAMBERS, AT WHICH TIME PALMER INSISTED THAT JUDGE BONDY HAD COMMITTED HIMSELF TO PERSONALLY DISPOSE OF MOTIONS AND THEREFORE HE COULD NOT ASSIGN RULING ON MOTIONS TO ANOTHER JUDGE. GOVERNMENT ATTORNEYS ARGUED THAT THIS DID NOT MAKE ANY DIFFERENCE. BONDY THEN STATED THAT HE WANTED GOVERNMENT ATTORNEYS TO SHOW HIM SOME AUTHORITIES WHICH SET PRECEDENT THAT ONCE A JUDGE HAD COMMITTED HIMSELF TO RULE ON MOTIONS HE COULD STILL ASSIGN THE RULING ON MOTIONS TO ANOTHER JUDGE. GOVERNMENT ATTORNEYS FEEL THAT JUDGE BONDY WILL DENY MOTIONS TOMORROW MORNING, NOVEMBER TENTH, AT TEN THIRTY AM WHEN MOTIONS COME UP BEFORE JUDGE BONDY AGAIN. ALL WITNESSES WERE INSTRUCTED BY U.S. ATTORNEYS TO STAND BY FOR TOMORROW MORNING IN CASE BONDY DECIDES TO HEAR TESTIMONY ON MOTIONS. BUREAU WILL BE ADVISED OF ALL EVENTS IN COURT TOMORROW. IN VIEW OF STATUS OF TRIAL

TSM:CTC
65-14932

cc - 65-14949 (Gubitchev)

Approved: _____

Special Agent in Charge

Sent _____

Per _____

65-14932-634

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

11/9/49

Transmit the following Teletype message to:

IN THIS MATTER, GUBITCHEV NOT PLACED UNDER SURVEILLANCE TODAY AS IT IS
BELIEVED THAT IF FACT WERE BROUGHT OUT IN COURT THAT HE WAS UNDER SURVEILLANCE
WHILE ON BAIL, IT WOULD CAUSE EMBARRASSMENT TO BUREAU.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE
NEW YORK, N. Y.
NOVEMBER 10, 1949
-----Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT

JUDITH COPLON, ESPIONAGE - R. JUDGE BONDY TODAY DENIED PALMER'S TWO MOTIONS BEFORE HIM WITHOUT PREJUDICING PALMER'S RIGHT TO FILE SAME MOTIONS BEFORE TRIAL JUDGE. THESE MOTIONS WERE DEFENDANT'S MOTION TO SUPPRESS EVIDENCE BECAUSE OF ILLEGAL SEIZURE AND TO QUASH INDICTMENT BECAUSE OF DOUBLE JEOPARDY IN VIEW OF WASHINGTON CONVICTION OF COPLON. TRIAL SET FOR MORNING OF NOVEMBER FOURTEENTH AT WHICH TIME EITHER TRIAL WILL PROCEED OR PRELIMINARY HEARING WILL BE HAD ON MOTIONS WHICH PALMER IS EXPECTED TO FILE WITH TRIAL JUDGE. IDENTITY OF TRIAL JUDGE WILL NOT BE KNOWN UNTIL MONDAY. GUBITCHEV STILL REFUSED TO SPEAK ENGLISH AND WAS ADVISED THROUGH RUSSIAN INTERPRETER THAT HE COULD EITHER GET A LAWYER OR WOULD "SUFFER THE CONSEQUENCES". INSPECTOR H. B. FLETCHER AND SUPERVISOR ROBERT LAMPHERE AND SA MENDENHALL RETURNING TO WASHINGTON VIA TRAIN THIS AFTERNOON.

SCHEIDT

cc - 65-14939 (Gubitchev)

TSM:CTC
65-14932Approved: 
Special Agent in ChargeSent 12-21 P.M. Per 

65-14932-635

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
NOV. 10, 1949

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HILSBOS
MR. EUGES
MR. KENNEDY
MR. MARCHESSAULT
MR. McGRATH
NIGHT SUPERVISOR
MR. RING
MR. TUOHY
TELEPHONE
MR. W. L.
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU - URGENT

IMMEDIATE ATTENTION OF ASSISTANT TO DIRECTOR D. M. LADD

JUDITH COPLON, ESPIONAGE R. REFERENCE IS MADE TO ASST DIR. LADD'S
CALL TO SA A. J. TUOHY CONCERNING FEDERAL JUDGES HENRY W. GODDARD
SYLVESTER RYAN, SDNY. THE FOLLOWING INFORMATION WAS CONFIDENTIALLY OBTAINED
FROM AUSA THOMAS F. MURPHY. GODDARD IS A REPUBLICAN, A VERY WEALTHY INDIVIDUAL
WHO HAS BEEN ON THE FEDERAL BENCH IN THE SDNY FOR APPROXIMATELY TWENTY SIX
YEARS. ~~OF COURSE THE PAST FEW YEARS~~, HE HAS ALWAYS BEEN KNOWN AS A QUOTE
GOVERNMENT JUDGE. UNQUOTE. HE IS APPROXIMATELY SEVENTY TWO YEARS OF AGE
AND, ACCORDING TO MURPHY, WITHIN THE PAST FEW YEARS, HAS, QUOTE, SOFTENED
UP A LITTLE, UNQUOTE, INSOFAR AS THE IMPOSING OF NEAR MAXIMUM SENTENCES
ARE CONCERNED, ALTHOUGH HE IS STILL REGARDED AS A, QUOTE, VERY PRO-GOVERNMENT
JUDGE, UNQUOTE. INSOFAR AS JUDGE RYAN IS CONCERNED, MURPHY RELATED THAT
HE IS, OF COURSE, A DEMOCRAT, WHO WAS CHIEF ASSISTANT IN THE BRONX COUNTY
DISTRICT ATTORNEY'S OFFICE FOR FIFTEEN YEARS AND HAS BEEN ON THE FEDERAL
BENCH IN THIS DISTRICT FOR APPROXIMATELY TWO YEARS. MURPHY CHARACTERIZED
HIM AS, QUOTE, PRO-GOVERNMENT ALL THE WAY, UNQUOTE. HE MAINTAINS A VERY
BUSINESS LIKE COURT AND PERMITS NO FRIVOLITY AND IS VERY STRICK IN THE
MAINTENANCE OF A VERY ORDERLY COURT. IT WILL BE RECALLED THAT IN A RECENT
BUREAU CASE, ENTITLED, OVED TRADING CORP., NEUTRALITY ACT, WHICH WAS CONCERNED
WITH ILLEGAL SHIPMENT OF ~~ARMS~~ ^{TNT} TO PALESTINE, LABELLED AS USED MACHINERY, ~~THE~~
SIX YOUNG JEWISH INDIVIDUALS WERE ARRESTED AND PLED GUILTY BEFORE RYAN.
THESE INDIVIDUALS WERE GIVEN SUSPENDED SENTENCES BY RYAN. MURPHY CONSIDERED

Approved: _____

Special Agent in Charge

Sent _____ M

Per _____

65-14932-1636

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

-2-

Transmit the following Teletype message to:

HIM TO BE IMMINENTLY FAIR, BUT THAT WHERE THERE WAS A DOUBT, HE WAS SURE THAT RYAN WOULD BE CONSIDERATE OF THE GOVERNMENT'S POSITION. CLARKE RYAN, AN ASSISTANT IN THE CIVIL DIVISION, SDNY, AND A NEPHEW OF JUDGE RYAN, CONFIDENTIALLY INFORMED AN AGENT OF THIS OFFICE, THAT, IN A CONVERSATION WITH HIS UNCLE ABOUT A WEEK AGO, JUDGE RYAN INDICATED THAT ~~COULD BE POSSIBLE~~ HE FORSAW THE POSSIBILITY OF BEING ASSIGNED TO HEAR THE COPLON CASE. FURTHER, THAT HE HAS KNOWN ARCHIBALD PALMER FOR MANY YEARS AND IS AWARE OF THE LATTER'S ATTITUDE AND CONDUCT IN COURT. JUDGE RYAN INDICATED TO HIS NEPHEW THAT, SHOULD THE CASE BE ASSIGNED TO HIM, HE WAS PREPARED TO DEAL PROMPTLY WITH PALMER SHOULD THE LATTER ATTEMPT CONDUCT SUCH AS THAT DISPLAYED IN WASHINGTON. RYAN INDICATED TO HIS NEPHEW THAT HIS KNOWLEDGE OF PALMER WAS DERIVED FROM HIS EXPERIENCE WITH PALMER IN NUMEROUS CASES IN BRONX COUNTY COURTS. NUMEROUS REFERENCES CONCERNING PRINCIPALLY JUDGE GODDARD APPEAR IN NY INDICES, *and are being checked. Bureau will be advised* ~~SUTEL IF SUMMARY OF THIS INFORMATION DESIRED BY BUREAU.~~ *immediately if anything pertinent revealed.* SCHEIDT

TGS:MFB
65-14932

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE
 NEW YORK, N. Y.
 NOVEMBER 10, 1949

Transmit the following Teletype message to: BUREAU URGENT

IMMEDIATE ATTENTION ASS'T. TO DIR. D. M. LADD. JUDITH COPLON, ESP. - R.
 REMYTEL TODAY. SUPPLEMENTAL CHECK NY FILES RE JUDGES HENRY W. GODDARD
 AND SYLVESTER RYAN REFLECTS NO FURTHER PERTINENT INFO RE JUDGE RYAN. AGENT,
 NYO, WHO TESTIFIED AT TRIAL OF ANTHONY "TONY" CRAMER, CHARGED WITH TREASON
 IN THAT HE AIDED THE GERMAN SABOTEURS IN FORTY TWO, STATED THAT JUDGE
 GODDARD WAS EXTREMELY CONSIDERATE OF BUREAU AGENTS WHO TESTIFIED AND
 SENTENCED DEFENDANT TO CONSECUTIVE SENTENCES TOTALLING FORTY SEVEN YEARS.
 WHEN DEFENSE ATTY HAROLD R. MEDINA, NOW FEDERAL JUDGE MEDINA, PROTESTED
 THESE SENTENCES AS BEING A SERIOUS MATTER IN VIEW OF DEFENDANT'S AGE,
 GODDARD REPLIED QUOTE THIS IS A SERIOUS OFFENSE UNQUOTE.

SCHEIDT

HCL:IM
 65-14932

MR. SCHEIDT
MR. TRIMONT
MR. RYAN
MR. CRAMER
MR. MEDINA
MR. POS
MR. UG ES
MR. KENNEDY
MR. PROFFESSAULT
MR. BATH
MR. SUPERVISOR
MR. G
MR. TONY
MR. CON
MR. L
MR. CLERK
PROPERTY CLERK
TRAINING UNIT

Approved: _____

Special Agent in Charge

Sent

3 44 P M

Per

65-14932-637

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
New York, N.Y.
November 10, 1949
MR. HILSECS
MR. HUGHES
MR. KENNEDY
MR. MARCIENGAULT
MR. McGRATH
NIGHT SUPERVISOR
MR. RING
MR. URGENT
MR. WATSON
MR. WOOD
PROPERTY CLERK

Transmit the following Teletype message to:

BUREAU

JUDITH COPLON. ESPIONAGE-R. SAAG RAYMOND WHEARTY HAS REQUESTED CHECK OF THE NY INDICES RE THE NAME MRS. DORIS DE KEYSERLING ON THE POSSIBILITY THAT SHE MAY BE EMPLOYED AS INTERPRETER AT TRIAL OF INSTANT CASE. MR. WHEARTY ADVISED THAT KEYSERLING RESIDES AT ONE TWELVE EAST EIGHTY FIRST ST., NYC AND SHE WAS RECOMMENDED BY VOA AND THAT SHE WAS EMPLOYED AS AN INTERPRETER AT THE NUREMBERG TRIAL. THE FILES OF THIS OFFICE REFLECT NO INFORMATION RE DORIS DE KEYSERLING WITH THE EXCEPTION OF AN AER REFERENCE. IT CANNOT BE DETERMINED WHETHER OR NOT THIS REFERENCE IS IDENTICAL WITH INSTANT KEYSERLING. AN ANONYMOUS LETTER DATED OCTOBER NINETEEN FORTY THREE RE "KLAUS (DE) KEYSERLINGH (BARON)" WHO RESIDED AT ONE TWELVE EAST EIGHT FIRST ST. IN NINETEEN FORTY THREE AND AT TWENTY SEVEN WEST TENTH ST., NYC IN NINETEEN FORTY TWO, ADVISED THAT KLAUS KEYSERLINGH ARRIVED IN THE U.S. IN NINETEEN THIRTY FIVE. HIS WIFE, DORIS, WAS A RUSSIAN COUNTESS WHO MARRIED KEYSERLINGH IN NYC. THIS INFORMANT ADVISED THAT KEYSERLINGH HAD AN UNNAMED BROTHER IN THE VICINITY OF SAN FRANCISCO AND AN UNNAMED COUSIN IN UNION, N.J. CONNECTED WITH THE ELASTIC BOLT AND NUT FACTORY. INFORMANT ADVISED THAT KEYSERLINGH WAS A JUDGE IN GERMANY AND IN NINETEEN FORTY THREE WAS A LAWYER IN NYC. THIS SOURCE COMMENTED TO THE EFFECT THAT THERE MAY BE NOTHING WRONG BUT "EVERY GERMAN HERE BEARS INVESTIGATION". JAMES KENNEALY, MEMBER OF THE LAW FIRM OF BEEKMAN BOGUE STEPHENS AND BLACK, FIFTEEN BROAD STREET, NYC, IN JUNE NINETEEN FORTY TWO, ADVISED THAT KLAUS A. KEYSERLINGH, AN EMPLOYEE OF THIS FIRM AND RESIDING AT TWENTY SEVEN WEST TENTH ST., NYC, WAS WELL ENOUGH INFORMED TO BE

DFO'C:MCF
65-14932

Approved: E S S J
Special Agent in Charge

Sent 1158 M

Per [Signature]

65-14932-638

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
PAGE TWO

Transmit the following Teletype message to:

A POTENTIAL FOREIGN AGENT. KENNEALY OBSERVED A SHORT WAVE RADIO AND
NUMEROUS MAPS IN KEYSERLINGH'S APARTMENT. HE HAD NO POSITIVE INFORMATION
AS TO KEYSERLINGH'S NATIONALISTIC TENDENCIES. ON FEBRUARY SEVENTEEN NINETEEN
FORTY TWO AN UNNAMED WOMAN TELEPHONICALLY ADVISED THAT BARON KEYSERLINGH,
TWENTY SEVEN WEST TENTH ST. AND HIS UNNAMED BROTHER IN CALIFORNIA WERE BOTH
PRO NAZI. COUNT HENRY PAUL EUGENE ARCHIBALD VON KEYSERLING WAS THE SUBJECT
OF AN ESPIONAGE-G INVESTIGATION IN NINETEEN FORTY ONE TO FORTY THREE, EN-
TITLED "MAX LEHMAN; HENRY PAUL VON KEYSERLING, WAS.". INS RECORDS, NYC,
REFLECT THAT ON JUNE FIVE NINETEEN FORTY ONE HENRY PAUL VON KEYSERLING
EXECUTED A SWORN STATEMENT WHEREIN HE ADVISED THAT HE USED TWENTY SEVEN
WEST TENTH ST., NYC, AS A MAILING ADDRESS AND RESIDENCE WHEN VISITING NYC;
THAT THE APARTMENT AT THIS ADDRESS IS LEASED BY HIS COUSIN KLAUS KEYSERLINGH
AND HIS WIFE. / PETITION FOR NATURALIZATION WAS DENIED JANUARY NINETEEN
FORTYTWO FOR FURNISHING FALSE INFORMATION REGARDING HIS NYC RESIDENCE. HENRY
VON KEYSERLING INDICATED HIS BIRTH AS ST. PETERSBURG, RUSSIA, SEPTEMBER TWENTYONE
NINETEEN ZERO SEVEN AND HIS LAST FOREIGN RESIDENCE AT KOBE, JAPAN. AVAILABLE
INFORMATION REGARDING INVESTIGATION OF HENRY VON KEYSERLING INDICATES INFORMATION
FROM INFORMANTS THAT HE WAS EMPLOYED AT KRUEGER, THE SWEDISH MATCH KING IN
MANCHURIA, THAT VON KEYSERLING'S FATHER WAS ADMIRAL IN RUSSIAN NAVY; BROTHER
ROBERT VON KEYSERLING WAS REPRESENTATIVE OF UNITED PRESS IN CANADA. VON KEYSERLING

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

PAGE THREE

Transmit the following Teletype message to:

ADVISED JOHN D. MAHONEY, H.P. GARESS AND COMPANY, SALINAS, CALIFORNIA, THAT VON KEYSERLING EXHIBITED A STRONG DISLIKE FOR HITLER FORM OF GOVERNMENT AND COMMUNIST FORM OF GOVERNMENT IN RUSSIA, BUT IF FORCED TO CHOOSE WOULD PREFER TO EXIST UNDER COMMUNIST FORM OF GOVERNMENT. MR. G. CONRAD BAKER, RICHMOND CHASE COMPANY, SIXTYFOUR WEST SAN JOSE, CALIFORNIA, ADVISED THAT VON KEYSERLING STATED AT ONE TIME THAT "HITLER WAS NOT SO BAD TO LIVE UNDER". REPORT OF ELDRED W. COX, APRIL TWENTYTWO FORTYEIGHT, NY ENTITLED MARY DUBLIN KEYSERLING, COMMERCE, LGE, PAGE SEVEN REPORTS THAT MARY DUBLIN KEYSERLING RESIDED AT TWENTY SEVEN WEST TENTH STREET FROM OCTOBER THIRTYFIVE TO SEPTEMBER THIRTYSEVEN. THE FILE OF THIS INDIVIDUAL DOES NOT REFLECT RESIDENCE THIS ADDRESS NINETEEN FORTYTWO. IT IS TO BE NOTED THAT MARY DUBLIN KEYSERLING IS WIFE OF LEON HIRSCH. KEYSERLING VICE CHAIRMAN COUNCIL OF ECONOMIC AFFAIRS, EXECUTIVE OFFICE OF THE PRESIDENT. DEROGATORY INFORMATION IN NY FILES RE MARY DUBLIN KEYSERLING AND LEON H. KEYSERLING IS NOT BEING FURNISHED BECAUSE THERE IS NO INDICATION IN THE FILE OF ANY RELATIONSHIP TO DORIS DE KEYSERLING. THE BUREAU IS REQUESTED TO FURNISH THIS OFFICE ALL PERTINENT INFORMATION REGARDING THE AFOREMENTIONED INDIVIDUALS. THIS INFORMATION WILL BE FURNISHED TO SA A.G. WHEARTY UNLESS ADVISED TO THE CONTRARY BY THE BUREAU.

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

Office Memorandum • UNITED STATES GOVERNMENT

TO : MEMO

FROM : SA A. J. TUOHY

SUBJECT: JUDITH COPLON
ESPIONAGE - R

DATE: November 10, 1949

At 12:10 pm today, Assistant to the Director D. M. Ladd advised that the Bureau had received information that Judge SYLVESTER RYAN would be the trial judge in instant matter when the trial comes up Monday, November 14th. Mr. Ladd stated that the Director wanted a within-the-hour teletype giving the background of our relationships with Judge RYAN.

Subsequently, in the absence of Mr. Ladd, I advised Supervisor Winterowd that we had ascertained that the case will be called in the regular calendar call in the court of Judge IRVING KAUFMAN on November 14, at which time it will be assigned to another judge for trial; that in all probability it will be assigned to either SYLVESTER RYAN or Judge HENRY W. GODDARD. I further advised that we were about to put a teletype through furnishing information on both these Judges.

cc - 65-14939 (Gubitchev.)

AJT:CTC
65-14932

15-14982-63
F/B.I.
6
NOV 10 1949
N. Y. C.
ROUTED TO *Muller* FILE *18m*

NOV 18 1949

MR. BELMONT
MR. CLEGG
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. Egan
MR. Gurnea
MR. Hendon
MR. Pennington
MR. Quinn
MR. Nease
MR. Gandy

NEW YORK 1 FROM WASH DC
SAC

13

1209PM

JUDITH COPLON, ESPIONAGE, R. RNYTEL NOVEMBER ELEVEN NINETEEN FORTY-
NINE. REVIEW OF BUREAU FILES REFLECTS REQUEST FROM INS ON MARCH THREE,
NINETEEN FORTYFOUR RE ELIGIBILITY FOR CITIZENSHIP OF DORIS DEKEYSERLINGK,
MEMBER OF RUSSIAN ECONOMIC INSTITUTE. DORIS BORN JANUARY TWENTY,
NINETEEN NAUGHT THREE AT ST. PETERSBURG, RUSSIA, MARRIED APRIL FOURTEEN
NINETEEN THIRTYSEVEN AT HAVANA, CUBA, TO KLAUS WHO WAS GERMAN BORN.
DORIS ENTERED U.S. FROM LONDON, ENGLAND AT NYC ON NOVEMBER TWENTYTWO
NINETEEN THIRTYSEVEN ABOARD SS NORMANDIE. RESIDENCE GIVEN BY DORIS
AS TWENTYSEVEN WEST TENTH STREET, NYC. YOUR ATTENTION DIRECTED REPORTS
OF CHARLES W. STICKLE AT NY DATED FEBRUARY TWENTYTHREE, NINETEEN FORTY-
FOUR AND JUNE SIX NINETEEN FORTYFOUR RE GERDA IDA MAGARETHE FRIEDHEIM,
ALIEN ENEMY CONTROL, G, IN WHICH INFORMATION SET FORTH RE KLAUS DEKEY-
SERLINGK OF ONE ONE TWO EAST EIGHTYFIRST STREET, NYC. ACCORDING TO
REPORT OF SA H.I. TEITELBAUM DATED JUNE THREE NINETEEN FORTYTWO AT NYC
IN CASE ENTITLED WERENR P. HUTZ, IS, G, A MRS. DE KAYSERLING, BORT ST.
PETERSBURG, RUSSIA, WAS SECRETARY OF E. P. GILHEANY OF LAW FIRM HUTZ
AND JOSLIN, NYC, IN NINETEEN FORTYTWO. THIS LAW FIRM, PATENT ATTORNEYS
REPRESENTING I.G. FARBEN. YOUR ATTENTION ALSO DIRECTED TO PAGES TWO
AND NINE OF REPORT OF SA GEORGE P. DILLARD DATED SEPTEMBER EIGHT NINE-
TEEN FORTYFOUR AT NYC RE RUSSIAN ECONOMIC INSTITUTE, IS, C. RE EMPLOY-
END OF PAGE ONE

65-14932-640
F. B. I.

NOV 18 1949

PAGE TWO

MENT OF DORIS DE KEYSERLINGK WITH THAT INSTITUTE. APPLICATION OF
COUNT FERDINAND CZERNIN FOR EXIT PERMIT DATED JULY SIX NINETEEN FORTY-
FIVE WITNESSED BY KLAUS A. DEKEYSERLINGK, OF ONE ONE TWO EAST EIGHTYFIRST
STREET, NYC. COUNT CZERNIN HEADED ORGANIZATION 'AUSTRIAN ACTION, INC.,
IN, U.S. AND WAS A MEMBER OF ANTI NAZI LEAGUE. YOU MAY FURNISH WHEARTY
SUMMARY OF INFORMATION INCLUDED HEREIN AND IN YOUR REFERENCED
TELETYPE.

HOOVER

END

WA R 1 NY

Office Memorandum • UNITED STATES GOVERNMENT

TO : MEMO

FROM : ASAC A. H. BELMONT

SUBJECT: JUDITH COPLON
ESPIONAGE - R

DATE: November 14, 1949

MR. SCHEIDT
MR. BELMONT
MR. CLEGG
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. Egan
MR. Gurnea
MR. Harbo
MR. Hendon
MR. Jones
MR. Quinn
MR. Nease
MR. Pennington
MR. Tamm
MR. Telford
MR. Winterrowd
Tele. Room
Mr. Holloman
Miss Gandy

On the morning of November 14, I called Mr. H. B. Fletcher at the Bureau to advise him that Judge Kaufman, who is hearing the calendar, this morning assigned the trial of COPLON and GUBITCHEV to Judge SYLVESTER J. RYAN in Court Room 110. It is our understanding that Judge RYAN is just completing a case and therefore this matter will come up before him this afternoon.

Mr. Fletcher was advised that we desire to have a clear understanding of the Bureau's wishes regarding a check of the activities of GUBITCHEV during the trial on the rather remote possibility that GUBITCHEV might attempt to leave the country if he sees the trial going against him. Mr. Fletcher was advised that it is our feeling that now that GUBITCHEV has been brought to trial it would be undesirable for the FBI to attempt to maintain knowledge of his whereabouts at all times as this might be construed as action which would not permit a fair trial. It is our belief that we no longer have responsibility for knowledge of GUBITCHEV's whereabouts during the trial; that he is now under the jurisdiction of the court. As a result, we do not believe that we should have him under surveillance, as we have previously informed the Bureau, nor should we attempt to cover his possible exit from the country other than by our regular established sources. In the event of the possibility that GUBITCHEV might leave the country, it seems to us that the Bureau could publicly state the above position. Mr. Fletcher advised he was in agreement with us but would see that the Bureau considered it further and would let us know of the Bureau's attitude.

I then advised Mr. Fletcher that I wanted to be sure of the Bureau's attitude in the event I am called as a witness and the question of technical surveillances is brought up. Mr. Fletcher advised that if this question is put to me in such a manner that it is necessary to answer, I should state that there was coverage in New York City with the authority of the former Attorney General, Mr. Tom C. Clark. In the event I am asked to divulge information received over this source, I should decline to do so on the grounds that it is contrary to Federal law to divulge such information. In the event that further details are asked as to how the coverage was placed, etc., I should decline to give the information on the basis that it would be revealing a confidential informant.

Mr. Fletcher further advised that the Bureau wanted to be sure that in the event the defense attempts to have Bureau reports produced at any time during the trial, the prosecuting attorneys should object, even though the reports were previously introduced at the trial in Washington. He requested that we discuss this with Mr. Whearty and Mr. Kelly and make sure they are going to follow this line.

cc - 65-14939 (Gubitchev)

AHB:CTC

65-14932

65-14932-640

NOV 14 1949	
N. Y. C.	
ROUTED TO	FILE

MEMO

NY 65-14932

November 14, 1949

Supervisor Granville and I spoke to Mr. Whearty and Mr. Kelly on the morning of November 14 concerning the above matters. They advised that in the event an attempt is made to produce or introduce FBI reports in the forthcoming trial, they will definitely object. However, they were both of the opinion that inasmuch as certain reports were made available in the Washington trial and thus are a matter of public record, the judge quite possibly would fail to go along with their objection on the grounds that secrecy was no longer involved insofar as these particular reports are concerned. Relative to telephone coverage, Mr. Whearty and Mr. Kelly advised that in the event this subject is brought up, they will likewise object. They indicated that their line of proof and that their objections will follow the same pattern as in the Washington, D. C. trial.

In the absence of Mr. Fletcher of the Bureau, I informed Mr. Fred Baumgardner of the results of my talk with Mr. Whearty and Mr. Kelly.

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
NOVEMBER 14, 1949

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT

JUDITH COPLON, ESPIONAGE - R. CASE ASSIGNED TO JUDGE SYLVESTER J. RYAN TODAY.

IN APPEARANCE BEFORE JUDGE RYAN IN COURT PALMER REFILED HIS MOTIONS FOR THE RETURN OF COPLON'S PROPERTY SEIZED UPON HER ARREST AND TO QUASH THE INDICTMENT ON THE GROUNDS OF DOUBLE JEOPARDY. PALMER REQUESTED THAT JUDGE RYAN HEAR EVIDENCE CONCERNING THE PROBABLE CAUSE THE FBI HAD FOR THE ARREST OF COPLON ON MARCH FOURTH, NINETEEN FORTY NINE. THE GOVERNMENT OPPOSED THIS ON THE GROUNDS THAT PALMER LAST WEEK HAD REQUESTED THE PRODUCTION OF TWENTY ONE GOVERNMENT WITNESSES AND THEREFORE A HEARING ON THE MOTION WOULD REQUIRE PUTTING ON ALMOST ALL OF THE GOVERNMENT'S CASE. PALMER DENIED THAT HE HAD EVER REQUESTED THAT NUMBER OF WITNESSES AND STATED THAT HE WOULD EXAMINE AT THE MOST ONLY SEVEN. WHEN INSTRUCTED BY THE JUDGE TO NAME SEVEN WITNESSES, PALMER AND COPLON HAD DIFFICULTY IN DETERMINING WHICH WITNESSES THEY WERE GOING TO USE. PALMER AT FIRST STATED HE WANTED TO EXAMINE LAMPERE, FLETCHER, FOLEY, SCHEDLER, MENDENHALL, GRANVILLE AND MILLER. ALMOST IMMEDIATELY PALMER REQUESTED THAT FLETCHER'S NAME BE TAKEN OFF THE LIST AND MISS MANOS BE SUBSTITUTED. JUDGE RYAN THEN STATED (2) THAT HE WILL BEGIN HEARING EVIDENCE ON THE MOTION AT TWO FIFTEEN PM TODAY AND IF IT APPEARED THAT IT WOULD BE TOO LENGTHY HE WOULD THEN ORDER THE TRIAL TO COMMENCE AND HE WOULD DEFER DECISION ON THE MOTION UNTIL HE HAD HEARD THE EVIDENCE IN THE CASE. JUDGE RYAN HAS MADE NO RULING ON THE DOUBLE JEOPARDY MOTION. PALMER ALSO INFORMED THE COURT THAT HE WAS FILING A MOTION IDENTICAL WITH HIS MOTION FOR THE RETURN OF PROPERTY EXCEPT THAT IT WAS FILED IN THE CIVIL DOCKET OF THE COURT. HE EXPLAINED TO JUDGE RYAN THAT THE REASON HE WAS DOING

TSM:KMB

65-14932-642

cc 65-14939 Special Agent in Charge

Sent

400 PM

Per

65-14932-642

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

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Transmit the following Teletype message to:

THIS WAS THAT A RULING ON A MOTION IN A CRIMINAL CASE FOR THE RETURN OF PROPERTY IS NOT APPEALABLE. HE EXPLAINED THAT THE LAW PROVIDES THAT A SIMILAR MOTION CAN BE FILED IN THE CIVIL DOCKET AND ANY RULING ON THAT MOTION IS APPEALABLE. JUDGE RYAN HAS MADE NO RULING ON THIS CIVIL MOTION. GUBITCHEV AGAIN REFUSED COUNSEL AND COURT ON ITS OWN VOLITION APPOINTED VICTOR DE GUINZBOURG AS AN INTERPRETER FOR GUBITCHEV AND WILL REMAIN WITH HIM DURING THE TRIAL. GUINZBOURG IS AN INTERPRETER FOR THE UN ON LOAN TO THE STATE DEPARTMENT AND HAS ACTED AS INTERPRETER AT MANY OF THE PREVIOUS HEARINGS IN THIS CASE. DEPARTMENTAL ATTORNEYS ARRANGING FOR PRODUCTION OF DEPARTMENT EMPLOYEES WHO ARE EXPECTED TO BE WITNESSES. AGENTS LAMPHERE AND MENDENHALL SHOULD STAND IN READINESS TO DEPART WASHINGTON, D.C. FOR NY ON SHORT NOTICE. AGENT R.R. GRANVILLE WILL TAKE STAND AT TWO FIFTEEN PM TODAY. BUREAU WILL BE ADVISED OF WHAT TRANSPIRES IN COURT THIS AFTERNOON.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

New York, N. Y.
November 14, 1949

*Re Judith Coplon
Esp. R.*

MEMO:

With reference to Mrs. DORIS DeKEYSERLING, 112 East 81st Street, New York City, telephone Butterfield 8-3475, the following information is submitted:

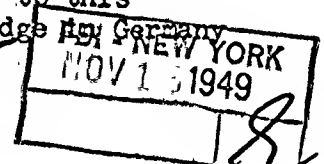
The Immigration and Naturalization Service on March 3, 1944, submitted a request to the Federal Bureau of Investigation regarding eligibility for citizenship of DORIS DEKEYSERLING, member of the Russian Economic Institute. DORIS DEKEYSERLING was born January 20, 1903 at St. Petersburg, Russia; was married April 14, 1937 at Havana, Cuba to KLAUS DEKEYSERLING. DORIS DEKEYSERLING entered the United States from London, England at New York City on November 22, 1937 aboard the "SS Normandie". Her residence was given as 27 West 10th Street, New York City.

As of January 1, 1942, Mrs. D. KEYSERLING was listed as Secretary to E. P. GILHEANY, an associate in the law firm of HUTZ AND JOSLIN, New York City. The records indicated that Mrs. KEYSERLING was born in St. Petersburg, Russia. The firm of HUTZ AND JOSLIN were patent attorneys representing I. G. FARBEN.

In 1944, DORIS DeKEYSERLING was listed as Acting Secretary of the Russian Economic Institute, 429 West 117th Street, New York City. This individual is probably identical with D. KERSERLING who was employed by the Russian Economic Institute as of December 4, 1942. The Russian Economic Institute claimed to be a voluntary non-partisan and non-profit organization undertaking individual and cooperative research projects centered in Russian-Eurasian territories. Certain officers of this organization were reported to be Liberal but not necessarily Communist.

An anonymous letter dated October, 1943 and received by the New York Office of this Bureau regarding "KLAUS (DE) KEYSERLING (BARON)", who resided at 112 East 81st Street, New York City in 1943 and at 27 West 10th Street, New York City in 1942, advised that KLAUS KEYSERLING arrived in the United States in 1935. His wife DORIS was a Russian Countess who married KEYSERLING in New York City, according to this Informant. This Informant advised that KEYSERLING was a Judge ^{from Germany}.

DFO'C:ERS



and in 1943 was employed as an attorney in New York City.

Mr. JAMES KENNEALY, member of the law firm of BEEKMAN, BOGUE, STEPHENS AND BLACK, 15 Broad Street, New York City, in 1942 advised that KLAUS A. KEYSERLINGK, an employee of this firm and then residing at 27 West 10th Street, New York City, was well enough informed to be a potential foreign agent. KENNEALY had observed a short wave radio set and numerous maps in KEYSERLINGK'S apartment. He had no positive information as to KEYSERLINGK'S nationalistic tendencies.

An application of Count FERDINAND CZERNIN for exit permit dated July 6, 1945 was witnessed by KLAUS A. DEKEYSERLINGK of 112 East 81st Street, New York City. Count CZERNIN headed the organization known as Austrian Action, Incorporated in the United States and was a member of the Anti-Nazi League.

Baron CLAUD DEKEYSERLINGK, 112 East 81st Street, New York City was an associate of GERDA IDA MARGARETHE FREDHEIM, who at one time was the subject of an investigation under the Alien Enemy Control Program.

The following information was ascertained in 1944:

Mrs. WILLARD MCALEN, the superintendent of the building at 112 East 81st Street, New York City, advised that Baron DeKEYSERLINGK had always spoken very favorably of the United States. This informant advised that his wife was employed at Columbia University.

Mr. WILLIAM B. CARR of the firm of BEEKMAN, BOGUE, STEPHENS AND BLACK, advised that he had known DeKEYSERLINGK since February, 1938. He said that DeKEYSERLINGK had been employed as a clerk in the law firm. DeKEYSERLINGK had advised CARR that his father was in a high position in the German military circles in the World War. Mr. CARR continued that DeKEYSERLINGK was a lawyer in Germany and at one time served in the German Foreign Office and also worked for the I. G. FARBE COMPANY in 1936. DeKEYSERLINGK was also connected with the Franco-German Mixed Claims Commission. CARR advised that conversations with DeKEYSERLINGK indicated the latter to be very anti-Nazi. CARR said that DeKEYSERLINGK'S wife at one time was employed by Colonel LLOYD G. DRISCOLM, American Ambassador to Japan and later to Italy.

Count HENRY PAUL EUGENE ARCHIBALD VON KEYSERLING was the subject of a German espionage investigation from 1941 to 1943. This individual indicated his birth to be St. Petersburg, Russia, September 21, 1907, and his last foreign residence was Kobe, Japan.

Immigration and Naturalization Service records at New York City reflected that on June 5, 1941, VON KEYSERLING executed a sworn statement wherein he advised that he used 27 West 10th Street, New York City as a mailing address and residence when visiting New York City. He stated that the apartment at this address is leased by his cousin, KLAUS KEYSERLINGH and his wife. Petition for Naturalization was denied VON KEYSERLING in January, 1942 for furnishing false information regarding his New York City residence. Investigation regarding this individual disclosed conflicting information regarding his nationalistic sympathies. VON KEYSERLING claimed to have been employed by KRUEGER, the Swedish Match King, in Manchuria. He claimed further that his father was an Admiral in the Russian Navy.

According to JOHN D. MAHONEY, H. P. GARESS AND COMPANY, Salinas, California, by whom VON KEYSERLING was employed, the latter exhibited a strong dislike for the Hitler form of Government and the Communist form of Government in Russia but made the statement that if he was forced to choose he would prefer to exist under the Communist form of Government.

Federal Bureau of Investigation
United States Department of Justice
New York, New York

November 15, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. LESTER
MR. LINDSEY
MR. MONTESAUULT
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

At 4:30 pm on November 15, I called Mr. H. B. Fletcher of the Bureau to advise him that SA T. Scott Miller had left the stand at 4:15 pm and it was our understanding that Mr. SCHEDLER of the Department had been called to the stand. Whearty and Kelly are attempting to have SCHEDLER and FOLEY testify today so that they can go back to Washington and the judge indicated they would be permitted to continue to testify.

Mr. Fletcher was advised we would send a teletype concerning the questions brought up by PALMER to Agent Miller but we thought the Bureau would be interested to know that in the progress of this hearing to date it is our definite impression that the judge has a firm hold on the matter and is restricting PALMER's activities to pertinent material. The judge has repeatedly rephrased PALMER's indirect and disjointed questions in a concise manner and has, of his own accord, restricted PALMER when his questioning takes improper lines.

Mr. Fletcher was advised that at the present time PALMER has called for 4 witnesses after Miller, namely SCHEDLER and FOLEY of the Department, and SAs John R. Murphy and Daniel F. Garde; that it is our impression that Murphy will be asked about why he left the surveillance when the subjects got on the bus at 42nd Street and 9th Avenue, and Garde will be asked about the incident on January 14th when COPLON shook a newspaper at GUBITCHEV.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14939-644
F. B. I.
NOV 15 1949
N. Y. C.
ROUTED TO [initials]

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
NOVEMBER 15, 1949

Transmit the following Teletype message to:

BUREAU.....URGENT

JUDITH COPLON, ESP-R. REOURTEL NOVEMBER FOURTEENTH CONCERNING APPOINTMENT
~~VICTOR~~ DE GUINZBOURG AS INTERPRETER FOR GUBITCHEV. DE GUINZBOURG BORN
 FEBRUARY THIRTEENTH, NINETEEN ZERO SIX, RUSSIA AND FRANCE. FATHER WAS
 MANAGING DIRECTOR RUSSO-ASIATIC BANK, GOVERNOR OF BANK OF RUSSIA AND RUSSIAN
 PAYMASTER UNTIL HIS RETIREMENT IN NINETEEN TWENTYSIX. DE GUINZBOURG ALLEGEDLY
 LEFT RUSSIA WITH FATHER IN NINETEEN TWENTYTWO AND NEVER RETURNED. RESIDED FRANCE
 AND U.S. UNTIL PERMANENT ENTRY INTO U.S. IN THIRTYFIVE. RELATIVES PRESENTLY
 RESIDE FRANCE. NATURALIZED FEBRUARY FOURTEENTH, THIRTYNINE, EDNY. WIFE NATIVE
 BORN. RESIDES THIRTY TWO GARDEN PLACE, BROOKLYN, NY. EMPLOYED AS INTERPRETER
 UNITED NATIONS MILITARY STAFF COMMITTEE BUT ON LOAN TO STATE DEPT CASE OF
 VALENTINE A. GUBITCHEV. SERVED U.S. ARMY MAY FORTYTWO TO NOVEMBER FORTYFIVE
 IN COUNTER-INTELLIGENCE CORPS ATTAINING RANK OF CAPTAIN. APPLIED UNSUCCESSFULLY
 FOR POSITION AS INTERPRETER AND SA WITH FBI FORTYTWO. CONSIDERABLE BACKGROUND
 INFO AND CONTACTS BETWEEN DE GUINZBOURG AND JACK SOBLE RE DELIVERY OF PACKAGES
 AND MONEY BY SOBLE TO DE GUINZBOURG'S RELATIVES IN FRANCE AND DELIVERY BY SOBLE
 TO DE GUINZBOURG OF PACKAGES APPARENTLY FROM LATTER'S RELATIVES IN FRANCE. APPEARS
 IN REPORTS OF SA W. A. KOLAR, NY, DATED OCTOBER TWENTY NINE, FORTYSEVEN, DECEMBER
 THIRD, FORTYSEVEN, FEBRUARY TWENTY EIGHT, FORTYEIGHT, APRIL THIRTEEN, FORTYEIGHT,
 FEBRUARY TEN, FORTYNINE, MARCH FOUR, FORTYNINE AND JUNE SIX, FORTYNINE IN CASE
 ENTITLED QUOTE JACK SOBLE, WAS, ETAL, ESP-R UNQUOTE. INVESTIGATION REFLECTED
 DE GUINZBOURG'S RELATIVES RESIDE ACROSS STREET FROM SOBLE'S BRISTLE PLANT AT
 YERBERIE, FRANCE AND POSSIBILITY EXISTS DE GUINZBOURG MAY BE RELATED TO SOBLE.

Approved: _____

Special Agent in Charge

Sent _____

435/P M

Per _____

WCR:IM
65-14932

65-14932-645

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

PAGE TWO

WM. J. SEXTON, AUSA, NY, REGARDED DE GUINZBOURG AS QUITE ABLE AND THOROUGHLY RELIABLE AS FAR AS PATRIOTISM CONCERNED BUT CONSIDERED HIM FIRST CLASS QUOTE GOLDBRICKER UNQUOTE. WHILE IN ARMY HE GOT IN TROUBLE FOR POSING AS FULL COLONEL. SEXTON ALSO HEARD DE GUINZBOURG WHILE IN ITALY POSED AS BRIGADIER GENERAL AND ALTHO EMPLOYED AT U.N. IS WORKING UNDERCOVER WITH MILITARY INTELLIGENCE. INQUIRY BY BUREAU HAS FAILED TO REFLECT UNDERCOVER WORK BY DE GUINZBOURG FOR ANY U.S. AGENCY. INVESTIGATION BY ARMY INTELLIGENCE REVEALS NO DEROGATORY INFO EXCEPT DE GUINZBOURG'S USE OF CIC BADGE SUBSEQUENT TO HIS DISCHARGE FROM ACTIVE DUTY. INFT AT U.N. ADVISES DE GUINZBOURG HANGS AROUND RUSSIANS ALL THE TIME AND INFT CONSIDERS HIM TO BE A QUOTE PHONEY UNQUOTE. DE GUINZBOURG WAS GIVEN AS REFERENCE BY CATHERINE BUKOLOW, MOTHER OF NINE ALEXEJEVNA ERDELY, WAS, ETAL, ESP-R & G, AN ALLEGED FORMER GESTAPO AGENT WHO HAS BEEN WORKING WITH SOVIET OFFICIALS AT U.N. IN INTERVIEW WITH REPRESENTATIVE OF DETECTIVE AGENCY DE GUINZBOURG ADVISED HE HAD KNOWN CATHERINE BUKOLOW FOR TWENTY YEARS IN SIBERIA. HOWEVER AT END OF INTERVIEW HE ADVISED OFF THE RECORD HE HAD NEVER KNOWN HER BUT HAD KNOWN OF HER.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

MR. SCHEIDT
 MR. BELMONT
 MR. WHEELAN
 New York 7, NY
 November 15, 1949
 E
 MR. ANDY
 MR. SAMUEL
 MR. ROBERT
 MR. SUPERVISOR
 MR. [illegible]
 D WASHINGTON FIELD - URG
 MR. [illegible]
 THE EXAMINATION OF
 CHINESE
 PROPER [illegible]
 E PALMER HAD MILLER
 OF FEBRUARY

65-14932-646

FEDERAL BUREAU OF INVESTIGATION New York 7, New York
November 15, 1949
UNITED STATES DEPARTMENT OF JUSTICE

- 2 -

Transmit the following Teletype message to:

INCLUDING WHETHER SHE HAD BEEN ADVISED OF HER CONSTITUTIONAL RIGHTS,
WHETHER HER MOTHER AND FATHER HAD BEEN CALLED, WHETHER SHE HAD REQUESTED
AN ATTORNEY. THESE WERE ALL ANSWERED IN THE SAME MANNER AS IN THE
PREVIOUS TRIAL CONTAINED IN THE ARREST LOG. PALMER WANTED TO KNOW
IF AGENT MILLER FELT THAT SUFFICIENT FACTS EXISTED FOR THE ISSUANCE
OF A WARRANT FOR COPLON'S AND GUBITCHEV'S ARREST PRIOR TO MARCH FOUR,
NINETEEN FORTY NINE. MILLER SAID THAT IN HIS OPINION SUCH FACTS DID
EXIST, AND WHEN PALMER WANTED TO KNOW WHEN, HE THOUGHT THIS, HE
ANSWERED QUOTE FEBURARY EIGHTEEN UNQUOTE. PALMER WANTED TO KNOW
WHY MILLER HAD NOT SOUGHT A WARRANT AND THIS WAS EXPLAINED THAT
MILLER WAS INVESTIGATING THE CASE TO DETERMINE IF ANYONE ELSE WERE
INVOLVED. WHEN PALMER ATTEMPTED TO QUESTION MILLER IN MORE DETAIL
CONCERNING WHY A WARRANT HAD NOT BEEN OBTAINED, JUDGE RYAN REMINDED
PALMER THAT MILLER WAS NOT THE ARRESTING OFFICER, AND AS MILLER HAD
EXPLAINED, HIS THOUGHT WAS MERELY HIS OWN OPINION AND DID NOT
NECESSARILY MEAN THAT SUFFICIENT INFORMATION WAS AVAILABLE ON WHICH
TO BASE A WARRANT. JUDGE RYAN ASKED AGENT MILLER IF IT WERE NOT A
FACT THAT FROM AGENT MILLER'S EXPERIENCE AS A FBI AGENT THAT
ESPIONAGE AGENTS WHEN THEY HAVE COMPLETED THEIR ASSIGNMENT FREQUENTLY
LEAVE THE COUNTRY VERY SUDDENLY. THIS WAS ANSWERED IN THE AFFIRMATIVE
AND MILLER ADDED THAT ALSO SUCH WAS THE CASE WHEN AN AGENT REALIZED
HE HAD BEEN EXPOSED OR WAS UNDER SURVEILLANCE. PALMER THEN WENT

- 3

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION New York 7, New York
November 15, 1949
UNITED STATES DEPARTMENT OF JUSTICE

- 3 -

Transmit the following Teletype message to:

INTO THE SIGNING OF THE COMPLAINT BY MILLER AND WAS TRYING TO MAKE SOMETHING OF THE FACT THAT GRANVILLE HAD MADE THE ARREST WHEREAS MILLER HAD SIGNED THE COMPLAINT. PALMER BEGAN QUESTIONING MILLER ABOUT WHAT FACTS HE HAD TO JUSTIFY CERTAIN STATEMENTS IN THE COMPLAINT WHEN JUDGE RYAN IMPATIENTLY TOLD PALMER MERELY TO ASK AGENT MILLER TO RELATE ALL OF THE FACTS AT ONE TIME. THIS ANSWER BY AGENT MILLER TOOK A CONSIDERABLE PERIOD OF TIME DURING WHICH AGENT MILLER RELATED ALL OF THE PERTINENT FACTS SURROUNDING THE THREE SURVEILLANCES WITH EMPHASIS ON THE CAUTIOUS MANNER IN WHICH THE DEFENDANTS HAD MET IN THE VICINITY OF ONE HUNDRED NINETY THIRD ST. AND BROADWAY. AT FOUR FIFTEEN PM MILLER LEFT THE STAND, AT WHICH TIME AGENT JOHN R. MURPHY TESTIFIED HE HAD PARTICIPATED IN THE SURVEILLANCE OF SUBJECTS ALONG FORTY SECOND ST. BETWEEN SEVENTH AND NINTH AVENUES IMMEDIATELY PRIOR TO THE TIME THEY BOARDED A SOUTHBOUND BUS ON NINTH AVE. PALMER WANTED TO KNOW WHETHER UP TO THAT POINT THE SUBJECTS APPEARED AWARE OF AGENT MURPHY'S OR ANY OTHER AGENTS PRESENCE AND WAS TOLD THAT THEY PROBABLY WERE NOT AWARE. HE ESTABLISHED THROUGH AGENT MURPHY'S TESTIMONY THAT THE FACT THAT MURPHY DID NOT BOARD THE BUS SINCE TO DO SO WOULD EXPOSE THE SURVEILLANCE. PALMER THEN QUESTIONED SA GARDE TO WHOM HE EXHIBITED A PHOTOSTATIC COPY OF THE SURVEILLANCE LOG FOR JANUARY FOURTEEN WRITTEN BY GARDE. PALMER READ FROM THAT PORTION OF

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION New York 7, New York
November 15, 1949
UNITED STATES DEPARTMENT OF JUSTICE

- 4 -

Transmit the following Teletype message to:

THE LOG THAT DESCRIBED COPLON'S AND GUBITCHEV'S WALK FROM THE DELUXE RESTAURANT ALONG SHERMAN AVE. TO BROADWAY, DURING WHICH PERIOD SHE WAS DESCRIBED IN THE LOG AS ENGAGING IN ANIMATED CONVERSATION AND STOPPING SEVERAL TIMES TO STRIKE AT GUBITCHEV WITH A FOLDED NEWSPAPER. PALMER ASKED IF THE STATEMENTS HE HAD READ FROM THE LOG WERE CORRECT AND WAS ANSWERED IN THE AFFIRMATIVE. HE THEN ASKED AGENT GARDE TO DESCRIBE THE CIRCUMSTANCES UNDER WHICH THE SURVEILLANCE OF GUBITCHEV WAS DROPPED AT THE CORNER OF LEXINGTON AVE. AND FORTY SECOND ST. IN THE EARLY PART OF THE EVENING ON MARCH FOUR. (IT SHOULD BE NOTED FROM THE OBSERVATIONS OF THE AGENTS WHO HAVE TESTIFIED THUS FAR THAT PALMER'S DEemeanor IN COURT IS MUCH DIFFERENT, BUT THAT THIS HAS BEEN BROUGHT ON BY JUDGE RYAN CONSTANTLY DEMANDING THAT PALMER DESIST CERTAIN LINES OF QUESTIONING ON THE GROUNDS THAT THEY ARE IMMATERIAL. ALSO JUDGE RYAN IS SUSTAINING OBJECTIONS TO CERTAIN QUESTIONS WHEN NO OBJECTIONS ARE BEING MADE BY THE GOVERNMENT ATTORNEYS. IT IS THE OPINION OF THE AGENTS THAT JUDGE RYAN IS CONSTANTLY KEEPING PALMER IN CHECK NOT ONLY IN HIS LINES OF QUESTIONING, BUT ALSO IN HIS DEemeanor TOWARD THE WITNESSES. COURT WILL RECONVENE TOMORROW MORNING AT TEN THIRTY AM, AT WHICH TIME IT IS EXPECTED THAT SCHEDLER AND FOLEY OF THE DEPARTMENT WILL TESTIFY AND ^{ALTHOUGH} ~~ALSO~~ THERE IS NO DEFINITE INFORMATION IT IS POSSIBLE THAT PALMER WILL TRY TO CALL SOME MORE WITNESSES. THE BUREAU WILL BE KEPT ADVISED OF DEVELOPMENTS.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

November 15, 1949

MR. BOARDMAN
MR. BELMONT
MR. WELLES
MR. CLEGG
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO

Re: JUDITH COPLON
ESPIONAGE - R

Reference is made to my memorandum of November 14, 1949 concerning my conversation with Mr. H. B. Fletcher of the Bureau.

On the morning of November 15, 1949 Mr. Fletcher advised, in response to our question as set forth in referenced memorandum, that the Bureau is in agreement with us that we should not attempt to surveil GUBITCHEV nor establish tight coverage to see that he did not leave the country during the trial. He advised further that he was informing the Washington Field Office that that office may discontinue covering the travel of Soviet officials to Washington unless the New York Office instructs that such coverage be effected in a particular instance. The reason for this discontinuance is that inasmuch as the whereabouts of GUBITCHEV will be known while he is attending the trial, the coverage by the Washington Field Office of all Soviet official travel will be unnecessary effort.

Regardless of the above instructions, we should keep our established sources alerted as in the past to insure that any information coming through these sources reflecting the possible attempt of GUBITCHEV to leave the country will be brought to our attention immediately.

Mr. Fletcher was advised that there was a possibility that attorney PALMER would make inquiry, probably of me if I am called to the stand, as to whether the results of "telephone taps" were made a matter of record and whether such records were in existence relative to the coverage of the telephones of GUBITCHEV and COPLON. Mr. Fletcher advised that in the event such a question was asked that I should state that written records are made on occasion and that there probably were such records in existence. In the event the request is then made to produce these records, I should respectfully refuse on the grounds that the disclosure of such information is unlawful and on the grounds of the Attorney General's Order #3229 prohibiting the disclosure of confidential FBI records.

cc: NY 65-14939

AH:MEW
65-14932

65-14932-647	
F. B. I.	
NOV 15 1949	
N. Y. C.	
ROUTED TO	FILE

MEMO

NY 65-14932

In the event PALMER questions me as to why these "telephone taps" were placed, he should be advised that they were placed with the authority and the approval of the former Attorney General, TOM C. CLARK.

A. H. BELMONT
ASAC

**Federal Bureau of Investigation
United States Department of Justice**

New York, N. Y.
November 15, 1949.

MEMORANDUM:

**RE: JUDITH COPLON
VALENTIN GUBITCHEV;
Espionage R.**

This morning I received a call from Mr. Howard Rushmore of the Journal American. He advised that he is covering instant trial and that the photographers were very much interested in getting pictures of the witnesses, most of whom apparently are going to be Agents. He wondered if there were any chance of perfecting arrangements so that the press could get pictures of the Agents who are called as witnesses. I did not give him any encouragement and indicated it was contrary to Bureau policy; that, however, I would check into the matter and call him back. Mr. Rushmore indicated he would be in the courtroom but that I could give any message to Jack Layer of the Journal American who would be in the press room.

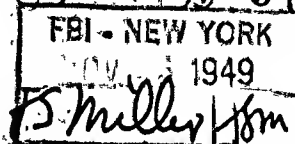
I called Mr. Cartwright of the Bureau in the absence of Mr. Nichols and advised him of the above call. He inquired as to how many Agents were to be called and I advised that defense attorney Palmer is calling them and we do not know in advance everyone he will call; that so far Supervisor Granville and Chief Clerk Sappho Manos have been called to the witness stand.

I stated that unless advised to the contrary by the Bureau I would continue to discourage their taking pictures.

I telephoned Mr. Layer and advised him that it is contrary to our policy to permit photographs of Agents. He said he appreciated this and inquired about their making arrangements for taking photographs of other witnesses who might be called. I suggested that with respect to any other witnesses he might take the matter up with the U. S. Attorney.

EDWARD SCHEIDT
SAC

ES:MT



FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.
 NOVEMBER 15, 1949

Transmit the following Teletype message to: BUREAU * W.F.O. URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESPIONAGE - R. SA R. R. GRANVILLE WAS ON STAND THIS MORNING FROM TEN THIRTY TO ELEVEN THIRTY. QUESTIONS CONCERNED MOTIONS TO SUPPRESS EVIDENCE BECAUSE OF ALLEGED ILLEGALITY OF ARREST. PALMER HAD TO BE CITED ON SEVERAL OCCASIONS BY JUDGE FOR NOT ADHERING TO ISSUE INASMUCH AS HIS QUESTIONS INVOLVED VARIOUS PHASES OF THE INVESTIGATION BOTH PRIOR AND SUBSEQUENT TO ARREST. HE ASKED IF THE WITNESS WAS AWARE OF FACT THAT AT THE TIME OF THE INVESTIGATION OF THESE DEFENDANTS THE HCUA, ACCORDING TO THE PRESS, WAS CRITICIZING THE DEPT. OF JUSTICE FOR TAKING NO ACTION WITH REGARD TO COMMUNISM. THE JUDGE RULED THAT THIS WAS AN IMPROPER QUESTION. HE ALSO ASKED IF THE WITNESS HAD ANY KNOWLEDGE OF NKVD AGENTS OR INTELLIGENCE AGENTS OPERATING IN ^{THEIR} CONSULATES, EMBASSIES, ETC. THE WITNESS STATED THAT HE HAD NO PERSONAL KNOWLEDGE. PALMER THEN ASKED IF HE HAD EVER HEARD OR READ OF THIS FACT AND THE JUDGE ALLOWED THE QUESTION AND GRANVILLE ANSWERED IN THE AFFIRMATIVE. THE QUESTION WAS ALSO PUT AS TO WHETHER THE WITNESS KNEW THAT AT THE TIME THIS CASE WAS BEING INVESTIGATED THERE WAS TENSION BETWEEN THE U.S. AND RUSSIA AND WHETHER OR NOT THE WITNESS HAD GIVEN CONSIDERATION TO FACT OF WHAT WOULD HAPPEN WITH RESPECT TO THIS TENSION SHOULD NO DOCUMENTS OR PAPERS HAVE BEEN OBTAINED AS A RESULT OF THIS ARREST AND SEARCH. THE JUDGE RULED THIS AN IMPROPER QUESTION. DURING THE SUBSEQUENT QUESTIONING, GRANVILLE ADVISED THAT IT WAS HIS UNDERSTANDING THE DEPARTMENT OF JUSTICE HAD CLEARED THE INVESTIGATION OF COPLON AND THAT THE STATE DEPT. HAD CLEARED THE

RRG:CTC
 65-14932

cc - 65-14939 (Gubitchev)

Approved: Ede

Special Agent in Charge

Sent 1:52 P M.

Per ds

65-14932-648

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

11/15/49

Transmit the following Teletype message to:

INVESTIGATION OF GUBITCHEV. THE NEXT WITNESS WAS MISS SAPPHO MANOS WHO TOOK THE STAND FROM ELEVEN THIRTY TO ELEVEN FORTY FIVE AM. PALMER QUESTIONED HER REGARDING BOTH THE SURVEILLANCE OF FEBRUARY EIGHTEENTH; WHEREIN SHE ACCOMPANIED SA T. J. MCANDREWS, AND HER ACTIVITIES ON MARCH FOURTH, THE DAY OF COPLON'S ARREST. CONCERNING QUESTIONS BY PALMER AS TO THE SURVEILLANCE ON THE EIGHTEENTH, THE QUESTIONS APPEARED TO BE MAINLY IN THE CATEGORY OF A TYPE DIRECTED TOWARDS DISTURBING THE WITNESS AND THE JUDGE TOLD PALMER TO PROCEED WITH THE QUESTIONS PERTAINING TO THE ISSUE. REGARDING THE ACTIVITIES OF MISS MANOS ON MARCH FOURTH, PALMER ASKED THE WITNESS AS TO WHO HAD INSTRUCTED HER TO WORK ON MARCH FOURTH. WHEN ADVISED BY THE WITNESS THAT IT WAS SA GRANVILLE, SHE WAS ASKED BY PALMER "WERE YOU INSTRUCTED TO ACT AS A MATRON FOR MISS COPLON", TO WHICH QUESTION THE WITNESS ANSWERED IN THE AFFIRMATIVE. HE FURTHER WENT TO SOME LENGTH TO QUESTION THE WITNESS AS TO WHAT TIME SA GRANVILLE HAD INSTRUCTED HER TO STAY AND WORK LATE ON MARCH FOURTH. THE WITNESS ANSWERED IT WAS SOMETIME IN THE AFTERNOON OF MARCH FOURTH. PALMER WAS DISSATISFIED WITH THAT ANSWER BUT THE COURT INSTRUCTED HIM TO PROCEED TO FURTHER QUESTIONS. PALMER APPEARED TO BE DEFINITELY INTERESTED IN OBTAINING THE FULL NAME OF BUREAU NURSE, GENEVIEVE CHARA, WHO HAD WORKED WITH MISS MANOS ON MARCH FOURTH. NEXT WITNESS WAS SA T. A. MENDENHALL, WHO WAS ON STAND FROM ELEVEN FORTY FIVE AM TO TWELVE TWENTY PM AND TESTIFIED CONCERNING SURVEILLANCES OF COPLON ON JANUARY FOURTEENTH, FEBRUARY EIGHTEENTH AND MARCH FOURTH IN

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

-----3-----

11/15/49

Transmit the following Teletype message to:

CONNECTION WITH SURVEILLING HER FROM WASHINGTON, D. C. TO NY. IT WAS BROUGHT OUT THAT SA DELAVALIGNE OF WFO HAD ADVISED MENDENHALL ON ALL OF THE ABOVE DATES THAT COPLON WAS LEAVING BY TRAIN FOR NY AND THAT THE FURTHER INSTRUCTION WAS GIVEN BY MR. DELAVALIGNE ON MARCH FOURTH FOR AGENTS MENDENHALL AND PAYNE TO PROCEED TO NEW YORK OFFICE AND WAIT INSTRUCTIONS THERE. IT WAS ALSO BROUGHT OUT THAT THESE LATTER INSTRUCTIONS HAD NOT BEEN GIVEN TO AGENT MENDENHALL ON JANUARY FOURTEENTH AND FEBRUARY EIGHTEENTH LAST. MENDENHALL FURTHER TESTIFIED THAT MR. DELAVALIGNE HAD TOLD HIM OF A TELEPHONE TAP ON BOTH COPLON'S RESIDENCE AND OFFICE PHONES IN WASHINGTON. FURTHER, THAT DELAVALIGNE HAD MENTIONED A FICTITIOUS MEMORANDUM CONCERNING AMTORG TRADING CORP. CONSIDERED BEING FURNISHED COPLON AROUND FIRST PART OF FEBRUARY LAST. MENDENHALL FURTHER TESTIFIED THAT HE SURVEILLED COPLON IN WASHINGTON AND BALTIMORE PRIOR TO JANUARY FOURTEENTH AND THAT HE AND AGENT PAYNE TOOK THE MATERIAL OBTAINED FROM COPLON'S PURSE ON NIGHT OF HER ARREST BACK TO WASHINGTON. PALMER ATTEMPTED TO OBTAIN FROM MENDENHALL INFO CONCERNING MATERIAL TAKEN BY BERTRAM COPLON FROM THE SUBJECT'S ROOM IN WASHINGTON ON MARCH TWENTY SEVENTH, QUESTIONS CONCERNING WHICH WERE RULED OUT BY JUDGE, WHEREUPON PALMER STATED HE WISHED TO SHOW THAT THE TYPE OF MATERIAL BERTRAM COPLON TOOK FROM SUBJECT'S RESIDENCE WAS SIMILAR TO THE TYPE OF MATERIAL FOUND IN HER POSSESSION ON NIGHT OF HER ARREST. THE JUDGE CONTINUED TO RULE OUT THE QUESTION AND WITNESS WAS EXCUSED. NEXT WITNESS WAS SA ROBERT J. LAMPHERE OF BUREAU. LAMPHERE WAS ON STAND ABOUT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

-----4-----

11/15/49

Transmit the following Teletype message to:

TWENTY MINUTES. QUESTIONED CONCERNING PREPARATION OF TWO MEMORANDA TO PEYTON FORD WHICH CONTAINED DECEPTIVE INFO. ALSO QUESTIONED CONCERNING INFO IN MARCH THIRD, FORTY NINE MEMORANDUM RELATING TO GEOPHONES. JUDGE RYAN RESTRICTED PALMER'S QUESTIONS AS NOT RELATING TO THE ISSUES IN HIS MOTION TO SUPPRESS EVIDENCE. AT TWELVE FORTY FIVE, AGENT TIOSCOTT MILLER TOOK THE STAND AND, GENERALLY, EXPLAINED THE SURVEILLANCE OF JANUARY FOURTEEN IN RESPONSE TO VARIOUS QUESTIONS PUT BY PALMER. SA MILLER IS PRESENTLY TESTIFYING CONCERNING THE EVENTS WHICH TOOK PLACE ON FEBRUARY EIGHTEEN. DURING THIS TIME PALMER ASKED IF SA MILLER HAD REASON TO BELIEVE THAT COPLON'S AND GUBITCHEV'S TELEPHONES WERE TAPPED, TO WHICH MILLER ANSWERED IN THE AFFIRMATIVE. IN RESPONSE TO PALMER'S QUESTIONS, IT WAS INDICATED THAT MILLER'S INFORMATION INCLUDED TAPS ON HER HOME IN BROOKLYN, HIS HOME IN NY, HER APARTMENT IN WASHINGTON, AND HER OFFICE IN WASHINGTON *BUT* ~~MILLER STATED~~ *THAT* HE HAD NEVER HEARD OF A TAP ON THE UNITED NATIONS OR AT GUBITCHEV'S OFFICE. PALMER ASKED MILLER WHO FIRST TOLD HIM THE NAME OF JUDITH COPLON. MILLER STATED HE FIRST HEARD THE NAME FROM GRANVILLE. PALMER WANTED TO KNOW WHEN THIS WAS. IT WAS INDICATED IT WAS SHORTLY BEFORE JANUARY FOURTEEN. COURT ADJOURNED AT ONE PM AND WILL RECONVENE AT TWO THIRTY WITH SA MILLER STILL ON THE STAND. IT IS EXPECTED THAT PALMER WILL CALL SA JOHN R. MURPHY TO THE STAND FOLLOWING MILLER.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

Office Memorandum • UNITED STATES GOVERNMENT

TO : MEMO

FROM : ASAC A. H. BELMONT

SUBJECT: JUDITH COPLON
ESPIONAGE - R

DATE: November 15, 1949

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. GRANVILLE
MR. HILSEOS
MR. EUGES
MR. MARCHESSAULT
MR. McGRATH
NIGHT SUPERVISOR
MR. KING
MR. TUCHY
MR. WATSON
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

At approximately 4:50 pm on November 14, I advised Mr. H. Fletcher of the Bureau that Supervisor Granville had been on the stand Judge Ryan's court from 2:15 pm to 4:30 pm as the first witness in the hearing on the legality of the arrest of COPLON and GUBITCHEV. The questions directed to Granville were along the same lines as those directed to him in Washington, D. C. with particular reference to the legality of his action and the extent of his knowledge leading to the arrest of the subjects. During the questioning, PALMER asked Granville whether he knew of any telephone taps on JUDITH COPLON or her brother or GUBITCHEV. Granville replied that he did not of his own knowledge. PALMER then asked whether Granville had ever heard or had been told of such telephone taps and he replied that he had and in answer to inquiry stated that I had told him. PALMER asked whether the tap on GUBITCHEV was at the UN and Granville replied in the negative and stated that he was at his home. PALMER asked him whether the tap had indicated any romantic attachment between COPLON and GUBITCHEV. All of the above questions were objected to by the prosecuting attorneys. Upon the objection to the last question above, the judge interposed "Do you know of your own knowledge" and Granville answered that he did not.

Mr. Fletcher was further advised that the judge had indicated that he would allow PALMER some latitude on the question of notes taken by the agents during their surveillances. Therefore, it appears probable that the notes will be introduced as they were in Washington, D. C. When PALMER was asking about agents' notes and trying to grasp the proper term for any reports made by the agents of their daily activities, Judge Ryan interposed that he assumed that PALMER was asking about the "daily reports", meaning presumably reports put in by detectives on their daily activities in investigating a case. It will be recalled that Judge Ryan was formerly an assistant prosecuting attorney in the Bronx. Mr. Fletcher was advised that as far as we are concerned the daily reports submitted by agents here are an administrative procedure and are not a report of investigative activities. Consequently, any request for such daily reports would meet with the reply that there are no such reports rendered.

Mr. Fletcher was advised that Agent Granville will again take the stand in the morning and that it is possible that I will be called as a witness sometime during the hearing and if so, my replies would be governed in accordance with the facts and Bureau policy insofar as the technical surveillances were concerned.

cc - 65-14939 (Gubitchev).

AHB:CTC
65-14932

65-14932-648A

F. B. I.

NOV 15 1949

N. Y. C.

ROUTED TO FILE

T. S. Miller

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.
 NOVEMBER 16, 1949

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. AT PRETRIAL MOTION THIS MORNING, SA E. F. MCCARTHY WAS FIRST WITNESS AND WAS UNDER EXAMINATION BY PALMER FROM TEN THIRTY TO ELEVEN TEN AM. PALMER QUESTIONED MCCARTHY AS TO TIMES HE HAD SEEN COPLON BEFORE MARCH FOURTH. MCCARTHY ANSWERED HE HAD SEEN HER ON FEBRUARY TWENTY FIRST. IN RESPONSE TO QUESTION AS TO FIRST TIME HE SAW GUBITCHEV, THE ANSWER WAS ON MARCH FOURTH. MCCARTHY WAS ASKED IF HE HAD TESTIFIED IN WASHINGTON THAT HE HAD BEEN DIRECTED TO GO TO FIFTEENTH STREET AND THIRD AVENUE SOMETIME BEFORE THE ARREST AND MCCARTHY ANSWERED THAT HE HAD BEEN DIRECTED TO GO TO THE VICINITY OF FOURTEENTH STREET AND THIRD AVENUE AFTER RECEIVING INFORMATION THAT COPLON AND GUBITCHEV HAD BEEN LAST SEEN AT FOURTEENTH STREET AND THIRD AVENUE. MCCARTHY WAS ALSO QUESTIONED AS TO HIS ITINERARY FROM NINTH AVENUE AND FIFTEENTH STREET TO THIRD AVENUE AND FOURTEENTH STREET AND THE ANSWER WAS GIVEN THAT THE CAR IN WHICH MCCARTHY WAS RIDING PROCEEDED VIA SIXTEENTH STREET UNION SQUARE, FOURTEENTH STREET THIRD AVENUE, EIGHTEENTH STREET SECOND AVENUE AND FIFTEENTH STREET TO THIRD AVENUE AND FIFTEENTH STREET WHERE COPLON WAS OBSERVED WITH GUBITCHEV. MCCARTHY WAS ALSO QUESTIONED AS TO HIS OBSERVATIONS OF THE DEFENDANT FROM TIME SHE WAS OBSERVED AT FIFTEENTH STREET AND THIRD AVENUE UNTIL ARREST WAS MADE. MCCARTHY WAS ALSO QUESTIONED AS TO WHETHER HE HAD HEARD THE ARREST BEING MADE AND STATED THAT HE HAD HEARD GRANVILLE IDENTIFY HIMSELF AFTER GRANVILLE GOT OUT OF HIS CAR. MCCARTHY WAS ALSO QUESTIONED AS TO WHETHER OR NOT HE HAD OBSERVED SEARCH OF GUBITCHEV AND REPLIED THAT HE HAD NOT.

JMO:M:CTC

65-14932 Approved: E. F. McCarthy

cc 65-14939 (Gubitchev) Special Agent in Charge

Sent

219 P M

Per

AB

65-14932-6498

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

11/16/49

Transmit the following Teletype message to:

MCCARTHY WAS ALSO ASKED QUESTIONS AS TO WHETHER OR NOT IF THERE HAD BEEN PASSAGE OF ANY MATTER BETWEEN COPLON AND GUBITCHEV HE WAS EMPOWERED TO MAKE AN ARREST. THIS WAS OBJECTED TO BY GOVERNMENT, OBJECTION WAS OVERRULED AND MCCARTHY ANSWERED IN AFFIRMATIVE. MCCARTHY WAS ALSO ASKED AS TO WHETHER OR NOT HE HAD TAKEN COPLON'S BAG AWAY FROM HER IN THE CAR AND UNDER WHAT AUTHORITY HE DID SO. MCCARTHY ANSWERED THAT INASMUCH AS COPLON WAS UNDER ARREST POSSESSION WAS TAKEN OF HER PURSE. QUESTIONS WERE ALSO ASKED OF MCCARTHY CONCERNING THE TRIP FROM POINT OF ARREST UNTIL COPLON WAS ESCORTED TO NURSE'S OFFICE IN NYFO. MCCARTHY STATED HE, CARRYING THE BAG, ACCOMPANIED COPLON TO NURSE'S OFFICE WHERE HE PLACED IT ON TABLE AND IT WAS OPENED BY SA MILLER. NEXT WITNESS WAS DEAN SCHEDLER, HEAD OF PUBLIC INFORMATION SECTION OF DEPT. OF JUSTICE. HE TESTIFIED THAT HE HAD NO KNOWLEDGE PRIOR TO APPROXIMATELY MIDNIGHT MARCH FOURTH THAT COPLON AND GUBITCHEV HAD BEEN ARRESTED NOR HAD HE EVER HEARD OF FACT THAT THERE WAS INVESTIGATION OF THESE INDIVIDUALS. HE WAS FURTHER QUESTIONED REGARDING THE PRESS RELEASE GIVEN OUT BY HIM TO VARIOUS NEWS SERVICES. HE STATED THAT PRESS RELEASE HAD BEEN BASED IN PART ON INFO SUPPLIED BY MR. WHEARTY AND IN PART ON INFO SUPPLIED BY ASSISTANT DIRECTOR NICHOLS OF FBI. MR. WHEARTY WHO WAS NEXT WITNESS WAS QUESTIONED AS TO THE DECOY MESSAGES OF JANUARY TWENTY SEVENTH AND MARCH THIRD. REGARDING THE FORMER WHEARTY STATED HE HAD NOT SEEN IT FOR CONSIDERABLE PERIOD AFTER JANUARY TWENTY SEVENTH. THE MARCH THIRD DECOY MESSAGE WAS GIVEN TO HIM BY PEYTON FORD LATE ON MARCH THIRD. WHEARTY WAS QUESTIONED REGARDING HIS

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

-3-

11/16/49

Transmit the following Teletype message to:
PRESENCE IN NY AND THE COMPLAINT WHICH HAD BEEN FILED UNDER HIS INSTRUCTIONS.
THE COURT RULED OUT QUESTIONS BY PALMER WHICH THE LATTER HAD INSERTED FOR
THE ADMITTED PURPOSE OF TRYING TO SHOW THAT THE GEOPHONE INFO IN DECOY
MESSAGES HAD BEEN PUT IN THERE BY AGENT LAMPHERE FOR SOLE PURPOSE OF BRINGING
COPLON UNDER ESPIONAGE STATUTES. WILLIAM E. FOLEY WAS NEXT WITNESS AND WAS
QUESTIONED BY PALMER AS TO WHETHER HE HAD BEEN AWARE AT THE TIME THAT THE
MESSAGES OF JANUARY TWENTY SEVENTH AND MARCH THIRD WERE IN FACT DECOY
MESSAGES. HE ANSWERED IN THE NEGATIVE. FOLEY STATED THAT HE HAD NOT BEEN
INSTRUCTED BY PEYTON FORD TO DELIVER THE MARCH THIRD MESSAGE REGARDING AMTORG
TO COPLON BUT THAT HIS SOLE INSTRUCTIONS WERE THAT IT SHOULD BE GIVEN TO THE
"FOREIGN AGENTS REGISTRATION PEOPLE". FOLEY STATED FURTHER THAT HE WAS NOT
AWARE THAT COPLON AND GUBITCHEV WOULD BE ARRESTED IN NY NOR DID HE KNOW
WHILE TRAVELLING WITH MR. WHEARTY TO NY ON MARCH FOURTH THAT WHEARTY WAS
COMING TO NY IN CONNECTION WITH COPLON AND GUBITCHEV CASE. AT TWELVE TWENTY
PM DEFENSE RESTED ON ITS MOTION AND GOVERNMENT ADVISED JUDGE IT DID NOT
DESIRE TO PRESENT ANY EVIDENCE IN ITS BEHALF SINCE THE SOLE EVIDENCE TO BE
OFFERED BY GOVERNMENT WOULD CONSIST OF COMPLETE TESTIMONY BY ALL SURVEILLANCE
AGENTS AS TO THE EVASIVE TACTICS TAKEN BY COPLON AND GUBITCHEV ON JANUARY
FOURTEENTH, FEBRUARY EIGHTEENTH AND MARCH FOURTH. COURT STATED IT HAD NOT
YET FINISHED READING TESTIMONY OF COPLON IN TRIAL AT WASHINGTON AND THAT IT
EXPECTED SUCH READING WOULD BE COMPLETED BY TWO THIRTY PM WHEN COURT WOULD
RECONVENE.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

13
73-9

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.
NOVEMBER 16, 1949

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. / HEARING ON DEFENDANT'S
MOTIONS CONTINUED AFTERNOON SESSION. JUDGE RYAN HEARD PALMER'S ARGUMENTS
IN FAVOR OF HIS MOTION TO SUPPRESS THE EVIDENCE ON BASIS OF NO PROBABLE
CAUSE TO ARREST WITHOUT A WARRANT AND NO LIKELIHOOD OF ESCAPE. THE JUDGE
THEN HEARD GOVERNMENT'S ARGUMENTS IN OPPOSITION TO THOSE OF DEFENDANT. JUDGE
RYAN HAS INDICATED THAT HE IS FAVORABLY INCLINED TOWARDS GOVERNMENT'S VIEW-
POINT AS TO THE LIKELIHOOD OF ESCAPE AND HAS INDICATED THAT REMAINING ISSUE
TO BE DECIDED IS THAT OF PROBABLE CAUSE TO BELIEVE A FELONY HAD BEEN
COMMITTED. / JUDGE RYAN ADJOURNED COURT FROM FOUR THIRTY PM TODAY UNTIL
ELEVEN AM TOMORROW, DURING WHICH TIME / HE WILL REVIEW THE CROSS EXAMINATION
OF COPLON IN WASHINGTON TRIAL, HAVING ALREADY REVIEWED HER DIRECT TESTIMONY
IN THAT TRIAL. HE STATED THAT HE IS REVIEWING CROSS EXAMINATION OF COPLON
AT SUGGESTION OF GOVERNMENT. HE STATED THAT HIS INTEREST IN COPLON'S TESTI-
MONY STEMS FROM FACT / THAT HE THOUGHT THAT SINCE SHE HAS NOT DENIED ANY OF
HER ALLEGED MOVEMENTS ON THE THREE CRUCIAL NIGHTS, THOSE STATEMENTS BY HER
AS TO HER MOVEMENTS GO TOWARD THE REASONABLENESS OF THE CONCLUSIONS OF THE
ARRESTING OFFICER. AT THE START OF TOMORROW'S SESSION, / JUDGE RYAN WILL HEAR
DEFENSE AND GOVERNMENT ARGUMENTS ON THE DEFENSE MOTION CONCERNING DOUBLE
JEOPARDY AND THE MOTION OF DEFENSE CLAIMING IMPROPER JOINING OF THE CON-
SPIRACY COUNTS IN THE NY INDICTMENTS OF COPLON AND GUBITCHEV.

cc - 65-14939 (Gubitchev)

JMO:M:CTC

65-14932

Approved: _____

Special Agent in Charge.

SCHEIDT

Sent _____

M

Per _____

65-14932-650

**Federal Bureau of Investigation
United States Department of Justice**

November 16, 1949

MEMO

Re: JUDITH COPLON
ESPIONAGE - R

SAC Sam McKee of Newark called at 12:20 P.M. today and advised that he had just received a call from ANTHONY A. CALANDRA of 31 Clinton Avenue, Newark, telephone Market 3-4430.

Mr. McKee said that CALANDRA had conducted the research and had handled much of the work in connection with the preparation of the appeal in the TRUPIANO case which concerned the Alcohol Tax Unit searching a residence in New Jersey without a warrant. Mr. McKee said that the citation for the TRUPIANO case was TRUPIANO vs. U.S. 334 U.S. 699.

Mr. CALANDRA told Mr. McKee that he had received a call today from ARCHIE PALMER who wanted to get in touch with him concerning the minutes, etc., in connection with the TRUPIANO case. Mr. CALANDRA said that he had instructed his secretary to advise PALMER that he was not available and that furthermore he did not intend to get in touch with PALMER or have anything to do with him whatsoever. Mr. CALANDRA indicated to Mr. McKee that he was in a country which he loved and would have "nothing whatsoever to do with PALMER or anyone connected with him."

Mr. CALANDRA said the reason he called was that he wanted to make known to the Government the line of defense and the cases which PALMER was thinking about.

Mr. McKee said that Mr. CALANDRA would be happy to speak with Mr. Kelly or Mr. Whearty and that he indicated that any material which he had would be available for Government perusal. He said he was making this offer without any thought of any future consideration with regard to any case which he might have but was doing so purely out of respect to his loyalty to the U.S.

Mr. McKee also called my attention to the case of RABINOVITZ 176, Federal 2d 132 which concerns an alleged illegal arrest and which was tried and decided by the Circuit Court, Southern District of N.Y.

Mr. McKee said he would advise the Bureau of above. I told him I would make the information available to Mr. Kelly and Mr. Whearty immediately, which was done.

ROBERT R. GRANVILLE,

RRG:IM
65-14932

65-14932-651

FBI - NEW YORK
NOV 16 1949
<i>R</i>

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
NOVEMBER 17, 1949

Transmit the following Teletype message to: BUREAU - URGENT

JUDITH COPLON, ESPIONAGE R; VALENTIN GUBITCHEV, ESPIONAGE R. JUDGE SYLVESTER RYAN THIS DATE, PRIOR TO MORNING SESSION, RECEIVED IN HIS ANTE ROOM, IN PRESENCE OF GOVERNMENT ATTORNEYS, NY ATTORNEY ABRAHAM L. POMERANTZ, OF THE LAW FIRM OF POMERANTZ, LEVY, SCHREIBER AND HAUDEK, OF TWO NINE FIVE MADISON AVENUE, NYC. MR. POMERANTZ ADVISED JUDGE RYAN THAT IT WAS POSSIBLE THAT HE MIGHT BE RETAINED TO REPRESENT DEFENDANT GUBITCHEV. HE DESIRED TO KNOW IF HIS RETENTION BY THE SOVIET GOVERNMENT AS AN ATTORNEY FOR GUBITCHEV WOULD BE AN ADMISSION OF NO DIPLOMATIC IMMUNITY FOR GUBITCHEV. JUDGE RYAN ADVISED POMERANTZ THAT THAT WAS A QUESTION OF LAW WHICH HE WOULD HAVE TO STUDY AND RENDER AN OPINION ON. POMERANTZ INDICATED THAT NO MATTER WHAT THE DECISION WAS THAT HE WOULD MOST LIKELY BE RETAINED TO REPRESENT GUBITCHEV. ATTORNEY POMERANTZ THEREUPON INQUIRED OF JUDGE RYAN IF, IN THE EVENT HE IS RETAINED TO DEFEND GUBITCHEV, WOULD JUDGE RYAN PERMIT AN ADJOURNMENT SO THAT POMERANTZ COULD ADEQUATELY PREPARE A CASE FOR THE DEFENDANT, GUBITCHEV. JUDGE RYAN STATED THAT HE WOULD DECIDE THAT QUESTION WHEN A CERTIFICATE OF RETAINER WAS EXHIBITED TO HIM. JUDGE RYAN ADDED THAT HE WOULD NATURALLY, IN HIS POSITION AS A JUDGE, HAVE TO OFFER ALL DEFENDANTS AVAILABLE OPPORTUNITY TO DEFEND THEMSELVES AND CONSEQUENTLY WOULD MOST LIKELY ACT FAVORABLY TOWARDS A REQUEST FOR ADJOURNMENT. ATTORNEY POMERANTZ ADVISED JUDGE RYAN THAT HE WOULD PROBABLY APPEAR IN COURT TOMORROW MORNING WITH A CERTIFICATE OF RETAINER FOR GUBITCHEV. AT THIS MORNING'S SESSION JUDGE RYAN RENDERED AN OPINION DISMISSING THE MOTION OF DEFENDANT COPLON TO SUPPRESS THE EVIDENCE OBTAINED BY THE GOVERNMENT. HE DISMISSED THIS

cc NY 65-14939

JMO'M:SMS
65-14932

Approved: _____

Special Agent in Charge

Sent _____

Per _____

65-14932-652

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

- 2 -

MOTION ON THE FOLLOWING GROUNDS: ONE, HE FELT THAT THE ARRESTING OFFICERS HAD REASONABLE GROUNDS FOR BELIEVING THAT A FELONY HAD BEEN COMMITTED, AND TWO, HE THOUGHT THAT THE ARRESTING OFFICERS HAD REASONABLE GROUNDS FOR BELIEVING THAT AN ESCAPE WAS LIKELY UNDER THE CIRCUMSTANCES OF THE CASE, WHICH INVOLVED ESPIONAGE. JUDGE RYAN ALSO DISMISSED THE DEFENDANT'S PLEARY MOTION, WHICH IS CIVIL IN NATURE, WHICH HAD SOUGHT THE RETURN OF THE EVIDENCE TAKEN FROM COPLON. HE ALLOWED THAT PORTION OF THE DEFENDANT'S MOTION REQUESTING THE RETURN OF ITEMS WHICH WERE NOT TO BE USED IN EVIDENCE AGAINST HER. THESE ITEMS, IT WILL BE NOTED, WERE PERSONAL ITEMS BELONGING TO DEFENDANT COPLON. THE REMAINDER OF THE MORNING/SESSION FOLLOWING JUDGE RYAN'S OPINION ON THAT MATION WAS CONSUMED BY ARGUMENTS OF DEFENSE COUNSEL PALMER ON HIS MOTIONS CLAIMING DOUBLE JEOPARDY AND IMPROPER JOINING OF CONSPIRACY COUNT IN NY INDICTMENT. PALMER HAS COMPLETED HIS ARGUMENTS AND THE GOVERNMENT WILL MAKE THEIR ARGUMENTS IN OPPOSITION IN THE AFTERNOON SESSION. AT THE CLOSE OF THE MORNING SESSION JUDGE RYAN TOLD PALMER THAT THE LATTER COULD, AT THE START OF TOMORROW'S SESSION, MAKE APPLICATION BEFORE HIM FOR AN APPEAL FROM JUDGE RYAN'S DISMISSAL OF PALMER'S MOTION TO SUPPRESS THE EVIDENCE. NEXT SESSION STARTS TWO THIRTY PM THIS DATE. FILES THIS OFFICE BEING REVIEWED FOR INFO RE POMERANTZ AND BUREAU WILL BE ADVISED OF RESULTS.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE
NEW YORK, N. Y.
NOVEMBER 17, 1949

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. AT AFTERNOON SESSION, WHICH CONTINUED FROM TWO THIRTY TO THREE THIRTY PM THIS DATE, JUDGE SYLVESTER RYAN HEARD GOVERNMENT ARGUMENTS IN OPPOSITION TO DEFENSE MOTIONS CONCERNING DOUBLE JEOPARDY AND IMPROPER JOINING OF COUNTS AGAINST DEFENDANT COPLON IN NY INDICTMENT. JUDGE RYAN HAS INDICATED THAT HE IS INCLINED TO DOUBT DOUBLE JEOPARDY CLAIM OF DEFENSE. HOWEVER, HE HAS NOT AS YET RULED ON THAT MOTION AND WILL NOT DO SO UNTIL TOMORROW AT EARLIEST. AS TO DEFENSE MOTION CONCERNING IMPROPER JOINING OF COUNTS AGAINST COPLON, JUDGE RYAN HAS INDICATED THAT GOVERNMENT MAY HAVE TO ELECT AS TO THE PARTICULAR COUNT ON WHICH IT DESIRES TO PROCEED AGAINST THE DEFENDANT COPLON, EITHER PRIOR TO TIME CASE GOES BEFORE JURY OR POSSIBLY PRIOR TO TIME IT GOES TO TRIAL. JUDGE RYAN'S SENTIMENTS IN THIS CONNECTION ARE BASED ON HIS BELIEF THAT THESE TWO COUNTS BOTH TREAT SIMILAR ACTS BY DEFENDANT COPLON. JUDGE RYAN HAS INDICATED THAT HIS DECISION CONCERNING THIRD MOTION OF DEFENSE WILL BE MADE AT TOMORROW'S SESSION. COURT RECESSED AT THREE THIRTY PM UNTIL TEN THIRTY AM TOMORROW.

SCHEIDT

cc - 65-14939 (Gubitchev)

JMO:M:CTC
65-14932

Approved: _____

Special Agent in Charge

Sent

7-53P M

Per

CJX

65-14932-653.08

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

TEL. SCHEIDT-36
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HILSBOS
MR. HUGGETT
MR. KENNEDY
NEW YORK, NEW YORK
NOVEMBER 17, 1949
NIGHT SUPERVISOR
MR. PING
MR. TOLSON
MR. WATSON
MR. POMERANTZ
CHIEF
URGENT

Transmit the following Teletype message to: BUREAU

JUDITH COPLON, ESPIONAGE DASH R. RENVTEL TODAY RE ABRAHAM L. POMERANTZ BIOGRAPHY IN WHO'S WHO, NY, FORTYSEVEN, LISTS POMERANTZ AS BORN MARCH TWENTYTHIRD, NINETEEN NAUGHT THREE AT BROOKLYN, NY. ATTENDED BOYS HIGH SCHOOL AND BROOKLYN LAW SCHOOL, BOTH BROOKLYN. MARRIED JAN. TENTH, TWENTYSIX TO PHYLLIS COHEN. ADMITTED NY BAR TWENTYFIVE. PRACTICING ATTORNEY SINCE TWENTYFIVE. LEGAL CONSULTANT IN PROSECUTION OF NAZI WAR CRIMINALS AT NURENBERG TRIALS, FORTYSIX. DIRECTOR INDEPENDENT CITIZENS COMMITTEE OF ARTS, SCIENCES AND PROFESSIONS, NEW ROCHELLE, NY. MEMBER NATIONAL LAWYERS GUILD. RESIDENCE THIRTYONE OVERLOOK ROAD, NEW ROCHELLE, NY. WITH LAW FIRM POMERANTZ, LEVY, SCHREIBER AND HAUDER, TWO NINE FIVE MADISON AVENUE, NYC. NY FILES CONTAIN NUMEROUS REFERENCES TO POMERANTZ. HE HAS BEEN A FREQUENT CONTACT OF ALFRED K. STERN. HAS BEEN CONNECTED WITH NUMEROUS COMMUNIST FRONT ORGANIZATIONS INCLUDING NATIONAL LAWYERS GUILD, OF WHICH HE IS A LONG TERM MEMBER AND WAS NATIONAL TREASURER IN FORTYSEVEN. ALSO SPONSOR OF SCIENTIFIC CONFERENCE FOR WORLD PEACE, HELD NYC, MARCH, FORTYNINE. ALSO HAS BEEN MENTIONED IN CONNECTION WITH NATIONAL COUNCIL OF AMERICAN SOVIET FRIENDSHIP, CONGRESS OF AMERICAN WOMEN, AMERICAN CONGRESS FOR A DEMOCRATIC GREECE, NATIONAL COUNCIL OF ARTS, SCIENCES AND PROFESSIONS, VICE CHAIRMAN OF AMERICAN LABOR PARTY, NY COUNTY IN FORTYNINE. HAS ALSO BEEN MENTIONED IN CONNECTION WITH CONFERENCE FOR CIVIL RIGHTS AND IN DEFENSE OF TWELVE COMMUNIST LEADERS. WAS CONNECTED

EFM:GDF
65-14932

Approved: 55220
Special Agent in Charge

Sent

M

Per

1043
65-14932-6548

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

PAGE TWO

WITH DEFENSE FUND FOR LEON JOSEPHSON. CONTRIBUTED BOOK REVIEW TO QUOTE
SOVIET RUSSIA TODAY UNQUOTE. WAS CONNECTED WITH DENUNCIATION OF MOTION
PICTURE INDUSTRY CONCERNING THE WRITERS BEFORE HCUA. ALSO MENTIONED
IN CONNECTION WITH DONINI, ITALIAN COMMUNIST LEADER, AND MRS. HILDE
EISLER. ALSO A KNOWN CONTACT OF SATELITE CONSULATES IN NYC AND CONTACT
OF ERWIN MUNK, FORMER CZECH CONSUL GENERAL IN NY. HE WAS ALSO A SPONSOR
OF WALLACE CANDIDACY IN FORTYEIGHT. NY WILL FORWARD TO BUREAU BY LET
TOMORROW COMPLETE SUMMARY OF ALL INFO. IN NY FILES REGARDING POMERANTZ.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

Federal Bureau of Investigation
United States Department of Justice
New York, New York

November 17, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. CROWLEY
MR. HENRY
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WEAVER
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

At 1:45 pm, I advised Mr. H. B. Fletcher of the Bureau that Judge Ryan had denied PALMER'S motion to suppress the evidence on the basis of illegal arrest. Judge Ryan found: a) that the arresting officer had probable cause to believe that a felony was being committed, and b) that the arresting officer had probable cause to believe that there was a likelihood of escape.

Mr. Fletcher was advised that PALMER had completed his arguments on the other two motions re improper joining of the conspiracy count in the New York indictment and double jeopardy and the government will argue on these two motions this afternoon. This morning, one ABRAHAM L. POMERANTZ of the law firm POMERANTZ, LEVY, SCHREIBER & HAUDEK, 295 Madison Avenue, requested to speak to the judge privately concerning GUBITCHEV. The judge agreed to talk to him in the anteroom in the presence of the government attorneys. POMERANTZ advised that it was possible that the Russian government will retain him to represent GUBITCHEV and he wanted to know whether his retention in this respect would be construed as an admission by GUBITCHEV that he did not have diplomatic immunity. The judge advised this was a matter of law and he would look it up. POMERANTZ then said that probably he would be retained and he would like to have an adjournment if he were retained to permit him to study the case. The judge advised him to present proof that he had been retained, after which he would inform POMERANTZ as to the possibility of adjournment. The judge indicated that he would allow sufficient time for preparation. POMERANTZ is to advise the court tomorrow morning re his retention as attorney for GUBITCHEV.

Mr. Fletcher was advised that we have considerable number of references on POMERANTZ; that he was associated with WALLACE, is a friend of ALFRED STERN and O. JOHN ROGGE and a member of the NATIONAL LAWYERS GUILD. We are getting this information together and will give it to the Bureau by teletype. Mr. Fletcher advised that the Bureau has considerable information on POMERANTZ. Mr. Fletcher was further advised that we were going to make available to Mr. Whearty and Mr. Kelly such information as we had on POMERANTZ that could be documented in the form of a blind memorandum on plain, unmarked paper. It is quite possible that the judge would be interested in the information but, of course, we are going to furnish it to Whearty and Kelly only.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)
AHB:CTC
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New York, New York

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STRICTLY CONFIDENTIAL (U)

November 18, 1949

Director, FBI

~~DECLASSIFICATION BY 2909 on 5/5/78~~
~~DATE 12-13~~
~~DATE 12-13~~

Re: JUDITH COPLOX
ESPIONAGE - R

Dear Sir:

Re New York teletypes November 17, 1949, concerning the possibility of ABRAHAM L. POMERANTZ being retained as attorney for GUBITCHEV.

The following information is being furnished the Bureau from a review of the New York files.

"WHO'S WHO IN NEW YORK", 1947 - POMERANTZ, ABRAHAM L., born Brooklyn, New York, 3/22/03, son of LOUIS and LENA POMERANTZ; education - Boys High School, Brooklyn, New York, 1920; Brooklyn Law School, cum laude, LL.B., winner of Luber Prize 1924; married in New York City on 1/10/26 to PHYLLIS COHEN; children - DAN, CHARLOTTE. Member New York Bar, 1925-1946; member POMERANTZ, LEVY, SCHREIBER AND HAYDEK, specializing in corporate litigation; instructor of law at Brooklyn Law School, 1925; candidate for Justice of Supreme Court, 9th Judicial District, 1945; legal consultant in prosecution of Nazi war criminals, Nuremberg Trials, 1946. Chairman, Federation of Jewish Charities, New Rochelle; Executive Committeeman, Mayor's Inter-Racial Committee; Treasurer, New Rochelle Civic Forum; Director, Westchester Jewish Community Services; Vice President, Bnai Brith (Westchester); Director, Independent Citizens Committee of Arts, Sciences and Professions (New Rochelle); Member, National Lawyers Guild, New York Law Institute, New York County Lawyers Association, National Association for Advancement of Colored People, New Council of American Business, National Democratic Club, Beth El Synagogue. Jewish. Rec. Tennis. Residence 31 Overlook Road, New Rochelle, New York. Business address 295 Madison Avenue, New York City.

"Daily Worker", December 1, 1947, page 3, column 4 stated "65 leaders in the arts, sciences and professions yesterday denounced the motion picture producers for their 'shocking and degrading capitulation to the de-credited and irresponsible House Committee on Un-American Activities' and warned that the door has been opened to censorship". Among those signing the letter of protest was ABRAHAM L. POMERANTZ.

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"Daily Worker", March 31, 1948, published an article "Attorneys Ask End of 'Spy' Jury". "Demand Attorney General CLARK Probe Leaks to Newspapers". The article indicated that three nationally prominent attorneys have called on Attorney General CLARK to discharge the special Federal Grand Jury probing "espionage", which has been in session for the past eight months on the ground that its activities have been prejudiced by leaks to the press. They also demanded that CLARK investigate the leaks. The three attorneys were LOUIS F. McCABE, O. JOHN ROGGE and A. L. POMERANTZ, an attorney formerly associated as Assistant U. S. Prosecutor in the Nuremberg Trials of Nazi industrialists.

"Daily Worker", October 19, 1948, page 7, column 5, listed ABRAHAM L. POMERANTZ as one of the 500 leaders in arts and sciences who backed the candidacy of HENRY A. WALLACE for President in 1948.

"Daily Worker", May 24, 1949, page 4, column 2, listed POMERANTZ as one of the 250 leaders who endorsed a call to a state-wide conference for civil rights and in defense of the twelve Communist leaders. This conference was scheduled to be held at the City Center Casino, 135 West 55th Street.

"Daily Worker", July 4, 1949, page 4, column 2, listed ABRAHAM L. POMERANTZ as co-Chairman of the American Council for a Democratic Greece. This group was demanding that "Athens end execution of prisoners".

"Daily Worker", March 7, 1949, page 4, column 3, listed ABRAHAM L. POMERANTZ as the signer of a telegram released by the National Council of the Arts, Sciences and Professions, urging defeat of the OBER Bill, being considered by the Maryland legislature to outlaw the Maryland Communist Party.

The "Greek-American Tribune", a publication, June 4, 1948, gave POMERANTZ' name as co-Chairman of the National Conference on American Policy in Greece, held June 5 and 6, 1948 at the Capitol Hotel, New York City.

The "Greek-American Tribune", June 11, 1948, gave an account of this conference. The second session on Saturday, in the afternoon, was chaired by ABRAHAM L. POMERANTZ, former U.S.A. Deputy Chief Counsel at the Nuremberg Trial, who sarcastically recommended that the American Council for a Democratic Greece put the Justice Department head, Mr. TOM CLARK, on its honor roll for placing it on the list of "subversives". Mr. POMERANTZ emphasized the fact that as Spain was the testing ground of fascism, of HITLER and MUSSOLINI, so Greece is the testing ground of the struggle between democracy and neo-fascism.

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The "New York Herald-Tribune", June 11, 1947, contained an article entitled "PCA Invites Lawyers to Civil Liberties Parley". The article reflected that ABRAHAM L. POMERANTZ, former Deputy Chief Counsel at the Nuremberg Trials and Chairman of the Lawyers Division of the Progressive Citizens of America, stated that all New York lawyers have been invited to the crisis meeting on civil liberties at 8:15 that date in the Hotel Commodore. As instances of attacks on civil liberties, POMERANTZ pointed to the President's Loyalty Order dismissing Government employees for disloyalty; state laws following the same course and state laws threatening certain classes of workers with jail sentences for striking.

In the "New York Daily News", February 23, 1948, there appeared in the column entitled "CAPITOL STUFF" by JOHN O'DONNELL, an article that O'DONNELL had received a plea from ABRAHAM L. POMERANTZ of 295 Madison Avenue, New York, urging a donation to a defense fund for the convicted Communist LEON JOSEPHSON. It was indicated that any donation was to be sent to RAYMOND C. INGERSOLL of the Civil Rights Congress, 205 East 42nd Street, New York City. The article continued that on last July 9th, Representative GEORGE A. DONDERO (R. Mich.) in the course of his attack on some of the "phonies" the War Department had sent as U. S. spokesmen to the war trial at Nuremberg, read into the record that "POMERANTZ was forced to resign". Representative DONDERO then read attorney POMERANTZ' written declarations in which POMERANTZ denounced the TRUMAN Administration efforts to rid Federal departments of "reds and pinkos" as the "most Nazi-like and terrifying law since the Alien and Sedition Act". The article continued that Representative DONDERO then pointed out that POMERANTZ was then addressing the Communist controlled New York State Progressive Citizens of America. The article also stated that the record showed that POMERANTZ was a darling of the "Daily Worker", wrote for "Soviet Russia Today" and signed an indignant letter denouncing the "canning" of Reds in Hollywood.

The 1947 issue of "Soviet Russia Today" contained a book review by ABRAHAM L. POMERANTZ, New York attorney and former Deputy Chief of Counsel at the Nuremberg Trials.

The "New Leader", a publication, on January 24, 1948, reported ABRAHAM L. POMERANTZ, a lawyer, formerly on the staff of the Nuremberg Trials, as one of the "celebrities" on a list of delegates to the PCA Convention held in Chicago on January 17 and 18, 1948.

ND 425 on March 28, 1949, furnished the New York Office with a copy of the "Final Program of Cultural and Scientific Conference for World Peace", held under the auspices of the National Council of Arts, Sciences and Professions, at the Waldorf-Astoria Hotel, New York City, March 25, 26 and 27, 1949. Said program reflected one ABRAHAM L. POMERANTZ as one of

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the sponsors of this conference.

Volume 5, Number 5, page 3 of the "New York Guild Lawyer" publication of the New York Chapter of the National Lawyers' Guild, stated that the National Executive Board met in Detroit, Michigan, April 17, 1947 and that ABRAHAM L. POMERANTZ was unanimously elected as National Treasurer.

Volume 5, Number 7 of the "New York Guild Lawyer" indicated that ABRAHAM L. POMERANTZ was the principal speaker on the subject "The Case Against the Nazi Industrialists". POMERANTZ was reported to have served as Senior Trial Counsel at the prosecution of Nazi industrialists at Nuremberg. POMERANTZ stated that "he had a difficult time explaining to international jurists why the U. S. virtually scuttled the international trials of the Nazi criminals by trying them alone". Mr. POMERANTZ paralleled many of HITLER'S attacks against unions and liberals with the Government's present policy of loyalty checks of Government employees and the anti-union policies and the TAFT-HARTLEY Bill.

A highly confidential source set forth in the report of SA T. W. DAWSEY, May 15, 1941 at Washington, D. C., in the case entitled "NATIONAL LAWYERS GUILD; INTERNAL SECURITY - C", indicated that ABRAHAM L. POMERANTZ, 295 Madison Avenue, New York City, was a member of the National Lawyers Guild on January 21, 1941.

POMERANTZ was also reported as a member of the National Lawyers Guild for 1947 and 1948 and was reported as the Vice-Chairman of the American Labor Party in New York County in 1949.

~~CONFIDENTIAL~~ (U) An anonymous source in May, 1949, supplied a booklet consisting of contacts of the Yugoslav Consulate, New York City. One of the contacts was Mr. A. POMERANTZ (Attorney), 295 Madison Avenue, 36th floor, telephone LExington 2-4800, home New Rochelle 6-5273, Secretary - Miss RAYDON.

~~CONFIDENTIAL~~ (U) Dr. JAN PAPANER advised that on October 21, 1948, the Czechoslovak Consulate wrote the Ministry of Foreign Affairs in Prague, regarding lawyers to represent the Consulate in New York City. CHARLES RECHT was the first choice. The third choice was ABRAHAM L. POMERANTZ, a member of the Committee for the WALLACE Party for the State of Connecticut; is a partner in a big law firm; has excellent contacts in prominent financial circles and is willing to place all his knowledge, as well as contacts at the disposal of Czechoslovakia. He

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knows Czech very well and agrees with the political situation there. It would be proper to use him from time to time.

In October, 1946, NYT 54 advised that EARL BROWDER informed BILL BROWDER that their friends were going to take them to lunch at a most expensive restaurant, the "CHAMBORD". A physical surveillance established that two men met EARL and BILL BROWDER and went to "LE BISTRO" Restaurant, 814 Third Avenue, New York City, for lunch. Surveillance subsequently showed that one of the individuals went to 295 Madison Avenue, New York City, 36th Floor, and it was ascertained that this individual was ABRAHAM L. POMERANTZ. The other individual entered Room 303 at 30 East 40th Street, which is the dental office of JEROME MILLER and PHILIP P. LAUTMAN.

~~CONFIDENTIAL~~ Confidential Informant [] furnished a copy of a letter of ABRAHAM L. POMERANTZ on the letterhead of the firm of POMERANTZ, LEVY, SCHREIBER AND HAVDEK, Attorneys-at-Law, 295 Madison Avenue. This letter was addressed to Dr. MUNK, The Czech Consul General and was a cover letter for POMERANTZ' dossier. The informant also furnished a copy of this dossier which consisted of background of POMERANTZ, substantially as given above from "WHO'S WHO IN NEW YORK". It was noted in the dossier that POMERANTZ stated that one of his associates specializes in the procuring of permits and licenses for the export of commodities to South America and Europe.

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~~CONFIDENTIAL~~ (U) [] made available a report on a list of persons invited to attend a party at the Polish Consulate on April 4, 1949 in honor of the delegates who attended the Cultural and Scientific Conference for World Peace, held at the Waldorf-Astoria Hotel, New York City. Among the persons listed was ABRAHAM L. POMERANTZ, 295 Madison Avenue, New York City.

Former SA JACK KEEMAN, affiliated with "COUNTER-ATTACK", in July, 1948, made available to the New York Office, documents obtained from an unknown informant, which informant was allegedly "on the ground floor" in the Youth for WALLACE Movement. One of these documents listed the Board of Directors of the New York State Chapter of the PCA and among those listed as Directors was ABRAHAM L. POMERANTZ, 295 Madison Avenue, New York City.

On May 1, 1947, ND 426 made available a brochure put out by the American Society for Cultural Relations with Italy. The brochure listed one ABRAHAM L. POMERANTZ among "friends of Italian democracy". It is noted that several of the Board of Directors and "friends" are individuals affiliated with organizations under the influence or domination of the Communist Party, e.g. JOHN O. CRANE, MURIEL DRAPER, MRS. ELEANOR GIMBEL, DASHIELL HAMMETT and MAX YERGEN.

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A highly confidential source, having access to the office of JACOB B. ARONOFF on the 20th Floor, 521 Fifth Avenue, New York City, in 1945, advised that the name of ABRAHAM L. POMERANTZ, 295 Madison Avenue, New York City, telephone LEXINGTON 2-4800, appeared in ARONSON'S personal telephone book. ARONSON is the subject of an Internal Security - R investigation and was a contact of ARTHUR ADAMS.

[redacted] on June 11, 1947, furnished a program for the Eastern Seaboard Conference of the Congress of American Women, which was held June 6, 7 and 8, 1947, at 157 Montague Street, Brooklyn, New York. The program reflected that ABRAHAM L. POMERANTZ was a member of the panel on "Peace and Democracy". The same informant reported that ABRAHAM L. POMERANTZ was the only speaker on the panel on "Peace and Democracy" on June 7, 1947. Informant advised POMERANTZ was Treasurer of the National Lawyers Guild and a legal consultant at the Nuremberg Trial in 1946. POMERANTZ stated that the Congress of American Women would be a very important link in the creation of world peace because the organization could create liaison with other organizations in other countries to urge measures to insure peace. POMERANTZ stated he was one hundred percent behind HENRY WALLACE'S idea in helping foreign governments of the people build themselves up to create foreign markets. He also stated that there should be an international law punishing anti-racism in any form and urged the Congress of American Women to study displaced persons legislation.

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The bank account of the National Council of American-Soviet Friendship, Inc., in November, 1943, indicated that among the checks to the National Council of American-Soviet Friendship was one from ABRAHAM L. POMERANTZ for \$50.00, dated November 8, 1943, drawn on the Bank of Manhattan Company, 295 Madison Avenue, New York City. Another check from POMERANTZ was found payable to SYLVIA ENGEL, dated November 4, 1943, drawn on the Bank of Manhattan Company, 295 Madison Avenue, New York City.

On March 7, 1944, SYLVIA ENGEL, an employee of the NCAAF, submitted a report to that organization on the Community Red Army Day Meetings. This report reflected that ABRAHAM L. POMERANTZ, 295 Madison Avenue, New York City, is practically the financial element of the Westchester Committee of the NCAAF, which sponsored Community Red Army Day Meetings in New Rochelle. According to ENGEL, POMERANTZ paid a full-time secretary to work on the Red Army Day Meeting as the way to get the "Council" started in Westchester. The report stated that POMERANTZ is interested, with very limited time, but is competent for ideas and helpful in getting them carried out.

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F. A. CAPELL, Chief of Investigations, Sheriff's Office, White Plains, New York, in a report dated June 10, 1941, advised that a Mrs. S. A. COYKENDALL, 652 Forest Avenue, Larchmont, a next-door neighbor of SIMON LIEBERMAN and his wife, OLIVE in 1939, copied the license number of a 1937 Packard Sedan, owned by ABRAHAM L. POMERANTZ, 120 Argyle Avenue, New Rochelle, New York, as one of the cars she observed outside the home of the LIEBERMANS when the LIEBERMANS held secret meetings in their home, which frequently lasted until 2 or 3 o'clock in the morning. The license numbers of these cars were also taken by the Mamaroneck Police and checked with the numbers given by Mrs. COYKENDALL. According to CAPELL'S report, the LIEBERMANS at the time of the report, resided at 10 Mulberry Road, New Rochelle, and were strongly suspected of being important figures in Communist activities, although they did not actively belong to the Party. Secret meetings were held in the LIEBERMANS home at the time of CAPELL'S report and were also held at prior addresses. At these meetings about six to twenty persons arrived, usually with brief cases.

Chief of Police J. A. DOLAN of Westport, Connecticut, advised the New Haven Office in October, 1940, that he received a letter from the Secret Police in Mexico, requesting information regarding PETER LUPKA and NOMY LUPKA, aka LUBBACH and advised that this was in connection with the assassination of LEON TROTSKY. According to DOLAN, a lawyer named HENRY LUPKA had a summer home just outside of Westport and LUPKA was formerly connected with another lawyer named ABRAHAM L. POMERANTZ, who resided at 60 Argyle Avenue, New Rochelle, New York, and had offices at 22 East 40th Street, New York City.

NYT 26 in the spring of 1949 advised that ABRAHAM L. POMERANTZ was observed conferring with BETTY GANNETT. According to the informant, GANNETT was unusually active in the affairs of the Communist Party as a result of the members of the National Board being on trial. Informant advised that GANNETT had assisted in organizing the defense of the Communist leaders.

AMBROSE DONINI, the subject of an Internal Security investigation, left the United States from Baltimore, Maryland on September 21, 1945. Prior to leaving, he contacted ABE POMERANTZ of 31 Overdale Avenue, New Rochelle, New York. POMERANTZ told DONINI to contact First Lieutenant LOUIS ZEITZ, 12th Weather Squadron, Cape de Luno, Air Corps and Captain LOUIS ROSENBERG, Hotel Momencio, located next to the Soldiers and Sailors Park. On September 18, 1945, POMERANTZ told DONINI that Mrs. BERTI had been to his office to secure her papers for leaving the country.

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The report of the Westchester County Sheriff's Office, dated June 4, 1941, advised that the meeting of the Westchester Conference for Democratic Rights was held June 2, 1941 at Thomas Paine Memorial Hall. The meeting was opened by ABRAHAM L. POMERANTZ, Temporary Chairman. The Sheriff's Office reported on July 18, 1941 that POMERANTZ resided at 120 Argyle Avenue, New Rochelle and his wife was PHYLLIS and also advised that he was an attorney with offices at 295 Madison Avenue, New York City. The report further advised that POMERANTZ' wife rented the Thomas Paine Hall, New Rochelle, for a meeting, using a subterfuge to get it.

The minutes of a meeting of the "Friends of the American Labor Party", reflected that the meeting was held December 15, 1941 at the offices of ABRAHAM L. POMERANTZ, 295 Madison Avenue, New York City and arrangements were made to hold the next meeting at the same place on December 29, 1941. POMERANTZ acted as Temporary Chairman.

B. PAUL, whose identity is known to the Bureau, advised the New York Office that ENRIQUE GREBLER, 27 Calla Lauvia, Barcelona, Spain, was trying to obtain a U. S. visa with ABRAHAM L. POMERANTZ as sponsor.

According to a report of Detectives STEPHANIE HORVATH and STANLEY GWOZDO of the New York City Police Department on March 28, 1949, the National Council of the Arts, Sciences and Professions held a dinner for the Cultural and Scientific Conference for World Peace at the Waldorf-Astoria on March 25, 1949. The report indicated a collection was taken up and ABE POMERANTZ contributed \$100.00.

ND 301 advised on March 5, 1948, that among the delegates to the Convention of the PCA in Chicago was ABRAHAM L. POMERANTZ of New York City former prosecutor at the Nuremberg Trials.

In Volume 1, Number 2 of the "Newsletter", published by the American Council for a Democratic Greece, it was stated that a two day national conference on American policy in Greece was to be held on June 5 and 6, 1948 at the Hotel Capitol, New York City and that one of the co-Chairmen would be ABRAHAM L. POMERANTZ, former U. S. Prosecutor-Attorney at Nuremberg, Germany.

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[redacted] reported on February 15, 1949 that Dr. ERWIN MUNK, Acting Consul General of the Czechoslovak Consulate, New York City, was in contact with ABE POMERANTZ, a New York attorney, representing the Czech Government.

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One A. POMERANTZ was elected as a member of the Resolutions Committee of the MORNING FREIHEIT ASSOCIATION at a meeting of the association held at the Hotel Capitol, New York City, April 11, 1945.

On February 16, 1949, the letterhead of the National Council of Arts, Sciences and Professions indicated that ABRAHAM POMERANTZ was listed among the Members-at-Large.

In a letter from HILDE ROTHSTEIN EISLER, 48-46 47th Street, Woodside, Long Island, dated May 30, 1945 to MAX GROSS, Quellenstrasse 8, Zurich, Switzerland, it was written "I hope meanwhile you are in possession of a letter from POMERANTZ. He firmly promised me to move everything so that you may have the visa.... I immediately turned to POMERANTZ and begged him most urgently to let no time be wasted and this time actually to do everything so that you will get the visa.....I must tell you that it is indeed not so simple to get money from someone and it would probably be much better if SAM would write directly to POMERANTZ."

On February 16, 1949, HELEN VRABEL contacted POMERANTZ (ph) an attorney for the Czechoslovak Consulate to confirm an appointment with him on February 18.

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A highly confidential source made available the general address book of the Yugoslav Consulate in New York City and it was noted that it lists Mr. A. POMERANTZ, attorney, 295 Madison Avenue, 36th Floor, telephone LEXington 2-4800, home New Rochelle 6-5273, Secretary Miss RAYDON.

~~CONFIDENTIAL~~ (U) [] advised that on July 23, 1948, Dr. ERWIN MUNK of the Czech Consulate was in contact with ABRAHAM POMERANTZ of 295 Madison Avenue. POMERANTZ advised that he was going to Philadelphia to attend the WALLACE Convention and MUNK commented that he was leaving for the convention and would stay at the Robert Morris Hotel. b7D

~~CONFIDENTIAL~~ (U) On September 28, 1948, MUNK was in contact with POMERANTZ and asked POMERANTZ to assist him in locating an apartment. MUNK also stated that he had some business which would require a lawyer.

~~CONFIDENTIAL~~ (U) On October 11, 1948, MUNK was in contact with POMERANTZ and they agreed to have lunch together on October 12.

~~CONFIDENTIAL~~ (U) On October 13, 1948, MUNK was in contact with Mrs. ABRAHAM L. POMERANTZ relative to a school for MUNK'S daughter.

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(U) On October 14, 1948, MUNK was in contact with POMERANTZ and POMERANTZ stated that he was sending a dossier to MUNK and MUNK might find some use for it.

The name of ABRAHAM L. POMERANTZ appeared on a resolution for world peace made by the American sponsoring committee of the World Congress for Peace, which met in Paris in April, 1949.

According to the "New York Herald-Tribune", January 19, 1948, POMERANTZ was chosen as Secretary of the Progressive Citizens of America in a meeting at Chicago.

POMERANTZ spoke at the Lawyers' Panel Discussion of a PCA sponsored conference called by the Conference on Cultural Freedom and Civil Liberties on October 25 and 26, 1947 at the Hotel Commodore. POMERANTZ compared the Nuremberg Trials to the so-called tricks of "un-Americans today". He stated the defendants in Germany had the protection of the U. S. Constitution whereas the loyalty check and the THOMAS Committee offer no such protection. POMERANTZ also stated that "atom bomb happy" Senators could be substituted for the names of war aggressors on trial in Germany since they were doing the same thing today. This information was furnished by ND 342.

The "New York Guild Lawyer", Volume 5, Number 7, reported POMERANTZ as the principle speaker at a New York Chapter of the National Lawyers Guild meeting on June 13, 1947. POMERANTZ stated that the National Lawyers Guild was the only U. S. representative at the International Conference of Law in Paris, 1946.

In the "New York World Telegram", August 3, 1948, there was named contributors to the WALLACE fund. Under the headline "Rich Commies Gifts Fill WALLACE War Chest", ABRAHAM POMERANTZ was noted as a contributor of \$1,000.00. The article continued that POMERANTZ was co-Chairman of the American Council for a Democratic Greece, an organization listed by the Attorney General as a Communist front organization.

~~CONFIDENTIAL~~ (U) In the investigation of ALFRED K. STERN conducted by this office, it has been ascertained that ABRAHAM L. POMERANTZ has been a contact of STERN on numerous occasions. It is noted that POMERANTZ was invited to a party at the STERN residence with IGNACE ZLOTOWSKI, MIODRAG MARKOVIC, Yugoslav Consul General, HENRY A. WALLACE and PAUL ROBESON. It was also noted that POMERANTZ was requested to attend a meeting at LILLIAN HELLMANN'S for the formation of the PCA paper "The Guardian". POMERANTZ was also found to be a large stockholder in Young People Records, Inc., 40 West 64th Street.

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On September 5, 1940, Mrs. CAROL BENCHER, 1451 Crotona Place, Bronx, New York, called at the New York Office. She advised that she had resided at that address for eight years and said a Mrs. LIEBERMAN had been an investigator for home relief and then resided on Allerton Avenue, but had formerly been at 1451 Crotona Place. According to Mrs. BENCHER, Mrs. LIEBERMAN contacted Mrs. BENCHER and requested her to become a member of the Communist Party. She told Mrs. BENCHER she could obtain relief, but had to give \$5.00 a month to the Communist Party and the first month's check to Mrs. POMERANCE, 3034 Holland Avenue, Bronx, the mother-in-law of Mrs. LIEBERMAN.

According to Mrs. BENCHER, she refused to join the Communist Party, whereupon Mrs. LIEBERMAN and Mrs. POMERANCE had been instrumental in having tenants in the building at 1451 Crotona Place, sign a petition to make her move. It is not known whether the parties Mrs. BENCHER referred to were connected with ABRAHAM L. POMERANTZ.

In the case of the AMTORG TRADING CORPORATION, it is noted that naval censorship advised on May 8, 1942 that GOLIKOV of Sov Purchase in Washington, D. C., sent a message to TIKHON IVANOV, Buenos Aires, Argentina "After you give Mr. POMERANTZ materials listed our cable 4/28/48, send him 2640 by same route as Mr. ANASTIAS IVANOVICH. Stop. Expected arrival date will advise later."

The same source furnished a cablegram on July 16, 1942 wherein GOLIKOV of Sov Purchase advised IVANOV at Buenos Aires to cable immediately if POMERANTZ was still there. GOLIKOV also inquired as to what he was doing. It was not determined whether the POMERANTZ mentioned might be connected with ABRAHAM L. POMERANTZ.

FRANKLIN BOWMAN, Deputy Sheriff at White Plains, New York, advised on May 21, 1947, that ABRAHAM POMERANTZ of 31 Overlook Road, New Rochelle, New York, was the guest speaker at a dinner held on May 19, 1947 at New Rochelle to honor Mrs. MINNIE WOLMAN, sponsor of the Veterans of the Abraham Lincoln Brigade.

Confidential Informant [] advised that ABRAHAM POMERANTZ attended a dinner of the National Council of American-Soviet Friendship on March 23, 1948 at the Hotel Commodore, New York City, which dinner was given for the purpose of welcoming ALEXANDER PANYUSHKIN, Soviet Ambassador to the United States.

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A few other references to POMERANTZ in the New York files are being reviewed and the results of such review will be furnished to the Bureau.

Very truly yours,

ES RE

EDWARD SCHEIDT, SAC

~~(U) CONFIDENTIAL~~

~~(U) CONFIDENTIAL~~

Federal Bureau of Investigation
United States Department of Justice
New York, New York

November 17, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

At 4:05 pm today, I called Mr. H. B. Fletcher of the Bureau and advised him that in the afternoon session of the COPLON case, the court heard government arguments in opposition to the defense motions based on the claim of double jeopardy and improper joining of counts against COPLON. I advised Mr. Fletcher that Judge Ryan has indicated that he doubts the claim of double jeopardy. However, Judge Ryan has also indicated that he feels the government may have to elect as to the count on which it will proceed as to the defendant COPLON at the forthcoming trial. Judge Ryan stated he was not sure this election would have to be prior to the time the case sent to the jury or prior to the time the case went to trial.

A. J. TUOHY
SA

cc - 65-14939 (Gubitchev)

AJT:CTC
65-14932

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. FINE
MR. TOLSON
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
RECORDS UNIT
TRAINING

65-14932-657

F. B. I.	
NOV 17 1949	
N. Y. C.	
ROUTED TO	FILE

"Who's Who In New York" (1947)

POMERANTZ, Abraham L. B. Brooklyn, N.Y., 3/22/03; s. Louis & Lena Pomerantz; Ed. Boys High School, Brooklyn, N.Y., 1920; Brooklyn Law School, Cum Laude, LL.B., winner of Luber Prize, 1924; M. NYC 1/10/26, Phyllis Cohen; ch. Dan, Charlotte; Member N.Y. Bar 1925-1946; member Pomerantz, Levy, Schreiber and Hawdek; sp. in corporate litigation; instructor of law at Brooklyn Law School 1925; Candidate for Justice of Supreme Court 9th Judicial Dist., 1945; legal consultant in prosecution of Nazi war criminals, Nuremberg Trials, 1946; Chairman Federation of Jewish Charities, New Rochelle; Exec. Com. mem, Mayor's Inter-Racial Comm.; Treasurer New Rochelle Civic Forum; Dir. Westchester Jewish Community Services; V.P. Bnai Brith (Westchester); Dir. Independent Citizens Committee of Arts, Sciences and Professions (New Rochelle); Mem. National Lawyers Guild, N.Y. Law Institute, N.Y. County Lawyers Assoc., National Assoc. for Advancement of Colored People, New Council of American Business, Nat'l Dem. Club, Beth El Synagogue. Jewish. Rec. tennis. Res. 31 Overlook Rd., New Rochelle, N.Y.
Address 235 Madison Ave., NYC 17

The "Daily Worker" of March 31, 1948, published an article, "Attorneys Ask End of (Spy) Jury; Demand Attorney General Clark Probe Leaks to Newspapers." The article stated that three nationally prominent attorneys have called on Attorney General Clark to discharge the special Federal Grand Jury reportedly probing "espionage" which has been in session for the past eight months on the grounds that its activities have been prejudiced by leaks to the press. They also demanded that Clark investigate the leaks. The attorneys were given as Louis F. McCabe, O. John Rogge, and A. L. Pomerantz, formerly Assistant U.S. Prosecutor in Nuremberg war crimes trials of Nazi industrialists.

In the "Daily Worker" of October 19, 1948, Abraham L. Pomerantz was listed as one of the 500 leaders in arts and sciences who backed the candidacy of Henry A. Wallace for President in 1948.

The "Daily Worker" of May 24, 1949, listed Abraham L. Pomerantz as one of the 250 leaders who endorsed a call to a state-wide conference for civil rights and in defense of the 12 Communist leaders. The conference was scheduled to be held at the City Center Casino, 135 West 55 Street.

The "Daily Worker" of July 4, 1949, lists Abraham L. Pomerantz as Co-Chairman of the American Council for a Democratic Greece. This group was demanding that "Athens end execution of prisoners."

The "Daily Worker" of March 7, 1949, listed Abraham L. Pomerantz as a signer of a telegram released by the National Council of the Arts, Sciences and Professions urging defeat of the Ober Bill being considered by the

NOV 18 1949

N. Y. C.

ROUTED TO

658

2-1-50
Every month +
given to SA R Kelly
1949 on

11/18/49
The original on plain
(not watermarked) bond paper
was personally handed to
Mr. John Kelly by SA R.R. Brannville

Maryland Legislature to outlaw the Maryland Communist Party.

The "Greek American Tribune" on June 4, 1948, gave Pomerantz's name as Co-Chairman of the National Conference on American Policy in Greece held June 3 and 5, 1948, at the Capitol Hotel, New York City.

The "Greek American Tribune" on June 11, 1948, gave the following account of this conference: "The second session on Saturday in the afternoon was chaired by Abraham L. Pomerantz, former USA Deputy Chief Counsel at the Nuremberg trials, who sarcastically recommended that the American Council for a Democratic Greece put the Justice Department head, Mr. Tom Clark, on its honor roll for placing it on the list of 'subversives'. Mr. Pomerantz emphasized the fact that as Spain was the testing ground of Fascism, of Hitler and Mussolini, so Greece is the testing ground in the struggle between democracy and neo-Fascism."

The New York "Herald Tribune" of June 11, 1947, published an article entitled "PGA Invites Lawyers to Civil Liberties Parley." The article reflects that Abraham L. Pomerantz, former Deputy Chief Counsel at the Nuremberg trials and the Chairman of the Lawyers Division of the Progressive Citizens of America, said all New York lawyers have been invited to the crisis meeting on civil liberties at 8:15 that date at the Hotel Commodore. As instances of attacks on civil liberties, Pomerantz pointed to the President's loyalty order, dismissing Government employees for disloyalty, state laws following the same course, and state laws threatening certain classes of workers with jail sentences for striking.

The "Daily Worker" of December 1, 1947, published an article that 65 leaders in the arts, sciences and professions yesterday denounced the motion picture producers' "shocking and degrading capitulation to the discredited and irresponsible House Committee on Un-American Activities," and warned that the door has been opened to censorship. Among those signing the letter of protest was A. L. Pomerantz.

The final program of the Cultural and Scientific Conference for World Peace held under the auspices of the National Council of the Arts, Sciences and Professions at the Waldorf-Astoria Hotel in New York City on March 25, 26, and 27, 1949, listed Abraham L. Pomerantz as one of the sponsors of this conference.

Volume 5, No. 5 of the "New York Guild Lawyer", publication of the New York Chapter of the National Lawyers Guild, stated that the National Executive Board met in Detroit, Michigan, on April 17, 1947, and Abraham L. Pomerantz was unanimously elected as National Treasurer.

Volume 5, No. 7 of the "New York Guild Lawyer" indicated that Abraham L. Pomerantz was the principal speaker on the subject "The Case

Against Nazi Industrialists." Pomerantz was reported to have served as Senior Trial Counsel at the prosecution of the Nazi industrialists at Nuremberg. Pomerantz stated, "He had a difficult time explaining to international jurists why the United States virtually scuttled the international trials of the Nazi criminals by trying them alone." Mr. Pomerantz paralleled many of Hitler's attacks against unions and liberals with the Government's present policy of "loyalty tests" of Government employees and anti-union policies, and the Taft-Hartley Bill.

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK

NOVEMBER 18, 1949

MR. SCHEIDT
MR. BELMONT
MR. TOLAN
MR. COLLIER
MR. GRANVILLE
MR. HILSECS
MR. HUGES
MR. KENNEDY
MR. NESSAULT
MR. McGRATH
NIGHT SUPERVISOR
MR. KING
MR. TUCKY
MR. WOLFE
MR. CLEGG
TRAIN TO UNIT

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT
JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. JUDGE RYAN HELD COURT THIS
MORNING IN THIS CASE FROM TEN THIRTY TO ELEVEN FIFTEEN. JUDGE RYAN ANNOUNCED
DECISION ON TWO REMAINING MOTIONS OF DEFENSE COUNSEL PALMER. JUDGE RULED AGAINST
PALMER'S MOTION CLAIMING DOUBLE JEOPARDY. HE RULED AGAINST PALMER'S MOTION
CLAIMING INSUFFICIENCY IN LAW IN CONSPIRACY COUNT OF NY INDICTMENT OF COPLON.
THEREUPON, DEFENSE COUNSEL PALMER REQUESTED FOUR DAY ADJOURNMENT SO THAT HE MIGHT
MAKE APPEAL FROM DECISION DENYING HIS MOTIONS AND OBTAIN WRIT STAYING PROCEEDINGS
IN INSTANT CASE UNTIL DECISION IS MADE BY CIRCUIT COURT ON HIS APPEAL. JUDGE
RYAN STATED HE WOULD ADJOURN COURT UNTIL TUESDAY MORNING DURING WHICH TIME
PALMER COULD APPLY TO CIRCUIT COURT CONCERNING HIS APPEAL AND WRIT. JUDGE RYAN
INQUIRED OF DEFENDANT GUBITCHEV WHETHER HE DESIRED COURT TO APPOINT HIM COUNSEL
OR WHETHER HE WOULD OBTAIN COUNSEL ON HIS OWN. GUBITCHEV ANSWERED THAT AS YET
HE HAD NOT OBTAINED COUNSEL; THAT HE HAD NOT HERETOFORE OBTAINED COUNSEL SINCE
HE HAD BELIEVED THAT CASE WOULD NOT GO TO TRIAL SINCE HE HAD FELT THAT ALLEGATIONS
AGAINST HIM WERE NOTHING MORE THAN PROVOCATIONS BASED ON "FANCY TALES" OF DEPT.
OF JUSTICE AND AGENTS OF FBI. HE REQUESTED ADJOURNMENT OF THREE WEEKS IN WHICH
TO OBTAIN COUNSEL AND TO PREPARE HIS CASE. FOLLOWING CONSIDERABLE DISCUSSION
BETWEEN GUBITCHEV AND JUDGE RYAN ON THIS MATTER, JUDGE RYAN RULED THAT HE WOULD
GIVE GUBITCHEV UNTIL TUESDAY MORNING TO APPEAR IN COURT WITH COUNSEL AND THAT AT
THAT TIME HE WOULD ENTERTAIN ANY REASONABLE APPLICATION BY DEFENSE COUNSEL FOR
GUBITCHEV FOR FURTHER CONSIDERATION TO ENABLE THEM TO PREPARE DEFENSE. JUDGE
RYAN THEREAFTER TOLD DEFENSE COUNSEL PALMER TO BE PREPARED ON TUESDAY MORNING TO

JMO:M:CTC

65-14932 cc - 65-14939 (Gubitchev)
Approved: *[Signature]*
Special Agent in Charge

Sent *221 P* M Per *[Signature]*
65-14932-659 *[Signature]*

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

---2---

11/18/49

Transmit the following Teletype message to:

SUPPLY COURT WITH ANY QUESTIONS WHICH PALMER DESIRED TO BE ASKED OF TALES MEN FROM WHICH JURY WOULD BE CHOSEN. ATTORNEY ABRAHAM L. POMERANTZ WAS IN COURT, DID NOT APPEAR IN GUBITCHEV'S BEHALF, NOR DID HE SIT AT COUNSEL TABLE, BUT MERELY SAT BY AND OBSERVED PROCEEDINGS. JUDGE RYAN HAS INFORMED SAAG/KELLY THAT POMERANTZ TOLD HIM THAT WORD HAD NOT BEEN RECEIVED FROM MOSCOW AS YET WHICH WOULD PERMIT HIS RETENTION AS COUNSEL FOR GUBITCHEV. JUDGE RYAN RECEIVED THIS INFO FROM POMERANTZ IN ANTEROOM, NOT IN OPEN COURT. COURT RECESSED UNTIL TEN THIRTY AM TUESDAY. SAAG KELLY ADVISES THAT HE EXPECTS JUDGE RYAN TO GRANT COUNSEL FOR GUBITCHEV ADJOURNMENT OF ONE OR TWO WEEKS.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M. Per _____

November 16th, 1949.

The F. B. I.
New York City.

Dear Sirs:

Following the first Coplon trial, the World-Telegram was biased in favor of her and my deductions clearly saw her as guilty. However, I based my opinion on the assumption that our Government would not allow such secret papers or notations to be carried in a handbag by a woman scurrying through subways making covert meetings with a foreign agent and that the Government would take as much care as our heavily armed police detectives in transporting papers of evidence, etc. I wrote the newspaper a letter of indignation and they published it. Now, I am embarrassed for it develops that the lethal weapon (handbag) was not what worried Miss Coplon or her attorney, but her relationship with the foreign agent.

It had seemed to me that a woman on a mission of trust, carrying secret information, would not cavort in the subways or that the matter in her possession would be unguarded. Any purse-snatcher or felon could have grabbed her bag while she was placing this bag in great danger as she made covert meetings with the Russian. The subways aren't meeting places for lovers and she is a mature woman, sophisticated and daring. She knew where to meet people---and my conclusion was that she did not know the Russian too well and she was meeting a man who was afraid of his own police.

If our Government allows women, unarmed and unprotected to take vital secret material in handbags for 'homework', it is cruel and unhuman to employees. The girl might have been murdered by a foreign agent. Money transported from banks is guarded but such information as she carried in her flimsy handbag was worth more than any bank truck could carry----to foreign agents.

I would hate to harm another and feel sorry to have written the Telegram but the handbag itself seemed to me a proof of guilt, and she carrying such matter on a wild chase with a man was extremely negligent and far from the path of duty. It seems strange to me that our D. A. Department is so definitely careful and particular and those men who carry brief cases containing evidence, etc. are so responsible, alert, armed and they aren't fooling with anyone - it would mean plenty of trouble to divert them from duty. One would face serious charges if any attempt to obstruct their progress were made, and it's right. A law is only a law as long as it can be enforced and laws are for the good of all concerned.

Searched We have such high regard for our wonderful F. B. I. and are confident that
Serialized this service serves America with the highest integrity and without bias.

Indexed

Filed

Sincerely,

W. BRYAN

65-14932-660

FBI - NEW YORK
NOV 18 1949

After 5 days, return to

~~XXXXXXXXXXXX~~

~~XXXXXXXXXXXX~~

~~XXXXXXXXXXXX~~



THE FEDERAL BUREAU OF INVESTIGATION

U. S. COURT HOUSE,

FOLEY SQUARE,

NEW YORK CITY .

MR. SCHMIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. CRAWFORD
MR. FOSCO
MR. HENRY
MR. JONES
MR. KENNEDY
MR. LEE
MR. MURPHY
MR. NICHOLS
MR. O'NEILL
MR. PETERSON
MR. QUINN
MR. RAYMOND
MR. TOLSON
MR. WATSON
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO

65-11124-1

F. B. I.

NOV 18 1949

N. Y. C.

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T. S. Mallory

W
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... BEL...
... WHE...
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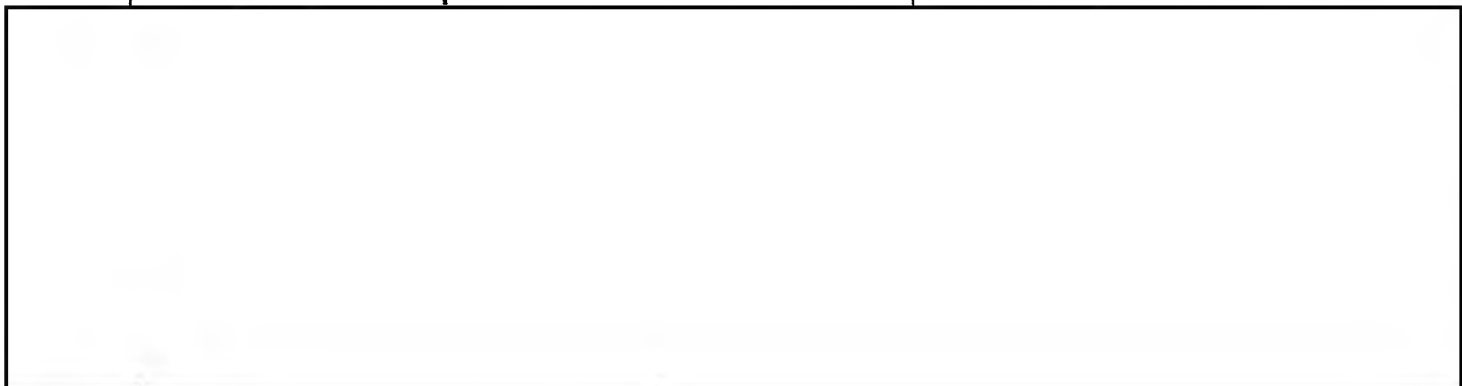
NEW YORK 4 FROM WASH FIELD

21

1135AM

DIRECTOR AND SAC *AB* U R G E N T

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP-R. RENYTEL NOVEMBER EIGHTEEN,



b7E

HOTTEL

BUREAU ADVISED

END

HOLD PLS

W R4 NY

65-14534-662

TS Miller

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK
NOVEMBER 21, 1949

Transmit the following Teletype message to: BUREAU URGENT

JUDITH COPLON; ESPIONAGE R. US CIRCUIT COURT OF APPEALS DENIED PALMER'S APPLICATION FOR A STAY OF THE TRIAL PENDING HIS FILING AN APPEAL ON HIS MOTION IN THE CIVIL DOCKET REQUESTING THE RETURN OF COPLON'S PROPERTY. WHEARTY ADVISES THAT STATE DEPT ADVISED PEYTON FORD THAT THEY HAVE NO OBJECTION TO AN ADJOURNMENT OF THE CASE AS LONG AS GUBITCHEV IS MAKING THE APPLICATION. LENGTH OF ADJOURNMENT WILL BE SETTLED TOMORROW MORNING.

SCHEIDT

cc: 65-14939

TSM:ENC
65-14932

RR

Approved: ESa

Special Agent in Charge

Sent 735P M

Per gjj

65-14932-6638

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.
NOVEMBER 22, 1949

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. COURT IN SESSION FROM TEN THIRTY TO ELEVEN TWENTY FIVE AM THIS DATE. ATTORNEY ABRAHAM L. POMERANTZ APPEARED FOR DEFENDANT GUBITCHEV AND REQUESTED AN ADJOURNMENT OF THIRTY DAYS AND INDICATED THAT HE MIGHT ATTACK JUDGE RIFKIND'S RULING OF NO DIPLOMATIC IMMUNITY AVAILABLE TO GUBITCHEV. FOLLOWING ARGUMENTS BY POMERANTZ, PALMER AND GOVERNMENT COUNSEL, JUDGE RYAN SET TRIAL DATE FOR DECEMBER TWENTY SEVENTH WITH MOTIONS RETURNABLE NOT LATER THAN DECEMBER TWELFTH. POMERANTZ INDICATED HE BELIEVED THERE WAS SERIOUS QUESTIONS CONCERNING JUDGE RIFKIND'S RULING ON THE QUESTION OF DIPLOMATIC IMMUNITY SINCE GUBITCHEV DID NOT APPEAR TO ARGUE HIS SIDE OF A PLEA OF THE PLEA FOR DIPLOMATIC IMMUNITY HAVING BEEN UNDER THE MISAPPREHENSION THAT BY TAKING A LAWYER HE WOULD HAVE WAIVED THE PLEA. JUDGE RYAN DID NOT INDICATE AS TO WHETHER HE WOULD ACCEPT AS FINAL JUDGE RIFKIND'S DECISION CONCERNING DIPLOMATIC IMMUNITY.

SCHEIDT

cc. - 65-14939 (Gubitchev)

RRS
JMO'M:CTC
65-14932

Approved: E. J. [Signature]
Special Agent in Charge

Sent 1238P M Per G. [Signature]

65-14932-66468

Memo

11 - 23 - 49

Judith Coplan; I-SP-R.

Ref. made to memo of U. P. Gavin,
relative to Max Schwartz, 141 Neptune Ave, 13 K 644
who had written Judge Leibel about Coplan Trial.

On 11/22/49 I advised USA SDNY Irving
Saypol that we had made a few inquiries about
Schwartz, just to identify him in event he
wrote letters in future of a more threatening
nature.

I told him the facts generally, set
out in reference memo, told Mr. Saypol
that we were making no further inquiries,
but were retaining the info on Schwartz in case
he began writing letters again.

G. S. Miller

S. G.

65-14932-665-7

F. B. I.	
NOV 1949	
N. Y. C.	
ROUTED TO	FILE

65-14932.

Director, FBI

November 23, 1949

SAC, New York

JUDITH COPLON
ESPIONAGE - R

Enclosed herewith is a photostatic copy of that portion of the transcript of the preliminary hearing in the New York trial, setting out the testimony of SA T. MAS A. MENDENHALL.

R
Rf

enclosure

Director, FBI

November 23, 1949

SAC, New York

JUDITH COPLON
ESPIONAGE - R

Enclosed herewith is a photostatic copy of the testimony of SA R. J. LAMPHERE at the preliminary hearing in the New York trial of this case.

It is requested that this be made available to agent LAMPHERE for review prior to his testifying in the coming trial.

enclosure



TSM:PVC
65-14932



65-14932-667 8

Federal Bureau of Investigation
United States Department of Justice
New York, New York

November 21, 1949

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HILSBOS
MR. HUGHES
MR. KENNEDY
MR. MATCHESSAULT
MR. McGRATH
NIGHT SUPERVISOR
MR. KING
MR. TICHY
MR. WATSON
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO

RE: JUDITH COPLON
ESPIONAGE -- R

On November 18, 1949, at 5:30 pm, while speaking to Assistant Director L. B. Nichols at the Bureau, I advised him that a "Daily News" reporter, CHARLES McHARRY, had been in touch with Agent T. Scott Miller and had attempted to reach Supervisor Granville relative to a feature article he is preparing for the "Daily News" of Sunday, November 20, concerning the surveillance of COPLON and GUBITCHEV. McHARRY seemed to be favorably disposed. However, he was referred to Mr. Kelly and Mr. Whearty for any comment.

The article in question is attached hereto. It is noted that it is written in a rather "smart-alec" style and we should be very careful in any dealings with McHARRY from here on.

A. H. BELMONT
ASAC

Att.

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

*See Sub-File "B"
for signing dated
11-20-49*

65-14932-668

F. B. I.	
NOV 21 1949	
N. Y. C.	
ROUTED TO	FILE

**Federal Bureau of Investigation
United States Department of Justice
New York 7, New York**

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. FUGATE
MR. KENNEDY
MR. LEVY
MR. MAGEE
MR. SAULT
MR. TOLSON
MR. TRACY
MR. WATSON
MR. WELLS
MR. WILSON
MR. WOOD
MR. YERGEN
MR. ZIEGLER

November 22, 1949

MEMO

Re: JUDITH COPLON
ESPIONAGE - R

On the instant date the writer had a discussion with Mr. KELLEY and Mr. WHEARTY concerning the necessity for Agents JOHN F. MALLEY and BREWER WILSON being available for the motion date (December 12th) and/or trial date (December 27, 1949).

It was the joint opinion of both the men that Agent MALLEY must be present on December 12th inasmuch as he alone can testify to three separate incidents concerning the surveillance of GUBITCHEV, and there is a possibility that evidence will be necessary concerning motions filed by the attorney for GUBITCHEV.

Relative to Agent WILSON, the attorneys stated that it would not be necessary for him to be here at that time.

TSM:ENC
65-14932

T. SCOTT MILLER, SA

*11-22-49
Mr. F. J. Fletcher was
advised re above; that
SA Wilson would leave for
Orlando immediately. He was
asked whether SA Malley should
stay in NYC. pending the hearing
on 12-12 or return to New York.
Mr. Whearty & Kelly & advised us.
11-23
Mr. Fletcher still checking &
said to keep Malley here
until advised.*

*11/25
Mr. Fletcher advised
that he had talked to
Mr. Kelly. Malley should
stay here to be available
for hearing on Dec 12
or*

65-14932-669

F. B. I.
NOV 25 1949
N. Y. C.
ROUTED TO FILE

T. S. Miller

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, New York

FROM : *gold* Director, FBI

SUBJECT: JUDITH COPLON
ESPIONAGE - R

DATE: November 22, 1949

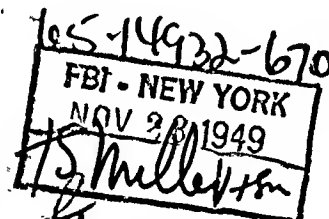
MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. TUGGES
MR. KENNEDY
MR. LADD
MR. CLEGG
MR. GLAVIN
MR. HARBO
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

121-5969
77-6377
65-14932

Reference is made to the Bureau's memorandum to you dated September 21, 1949, in which you were instructed to submit to the Bureau corrected pages for the incorrect copy of the report of Special Agent T. Scott Miller, dated March 28, 1949, at New York. You are requested to submit the corrected pages in the immediate future.

*Already done
10.*

Handle Immediately



Searched *RT*

Serialized *RT*

Indexed *RT*

Filed *RT*

Director, FBI

November 23, 1949

SAC, New York

JUDITH COPLON
ESPIONAGE - R

Rebulet 9/21/49, stating that one of the Bureau copies of the report of S.A. T. SCOTT MILLER, Jr., dated March 29, 1949 at New York, contained pages from a report in the New York case file 26-10462.

The New York copies of the above report, as well as that given to SAAG T. J. DONEGAN, were examined and all were in appropriate order. Also, the New York copies of the New York report dated March 28, 1949 in New York file 26-10462 were examined, but were found in order.

The offices receiving copies of the 26 case report are being asked by separate communication to check their report.

Inclosed for the Bureau are copies of pages 21 and 24, through 31, inclusive of the COPLON report of March 28, 1949.

enclosures (9)

cc: NY 26-10462

cc: Washington Field

TSM:PMC
65-14932

65-14932-671-8

Federal Bureau of Investigation
United States Department of Justice

New York, New York

November 23, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

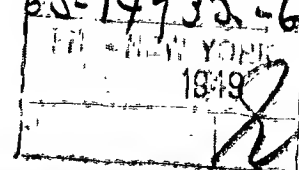
The following is the order in which the government put on its evidence in the Washington Trial, and, according to the Government attorneys, is the order in which it will be put on during the coming trial:

- | | |
|------------------------------|----------------------|
| 1. FRANKE Dept. | 15. GAUTHIER |
| 2. FOLEY Dept. | 16. CATHERINE CONDON |
| 3. ROSSON Dept. | 17. BREWER WILSON |
| 4. R. T. HRADSKY | 18. M. F. CAREY |
| 5. R. E. BRENNAN | 19. J. P. DALEY |
| 6. J. F. MALLEY | 20. R. J. WIRTH |
| 7. R. W. ROBINSON | 21. T. H. ZOELLER |
| 8. LEO GAUTHIER (Washington) | 22. J. R. MURPHY |
| 9. T. J. MC ANDREWS | 23. D. F. GARDE |
| 10. SAPHO MANOS | 24. J. J. WARD |
| 11. T. S. MILLER | 25. R. R. GRANVILLE |
| 12. ROBINSON | 26. E. F. MC CARTHY |
| 13. MALLEY | 27. GAUTHIER |
| 14. HRADSKY | 28. MILLER |

T. SCOTT MILLER, SA

cc Each NY agent and steno.

TSM:HJC
65-14932



Re: JUDITH COPLON and VALENTINE ALEKSEEVICH GUBITCHEV

Active investigation of Judith Coplon as a possible espionage agent was commenced in Washington, D.C., in early January, 1949.

Judith Coplon, at that time, was employed by the Department of Justice as a political analyst in the Foreign Agents' Registration section. As such, she screened FBI investigative reports for information of possible interest to the FARS. Many of these reports contained information relative to individuals who were being investigated by the FBI as Communists and/or Soviet espionage agents. In connection with her work, Coplon had "data slips" prepared containing summaries of information obtained from newspapers, the State Department and the FBI, which slips were filed for her future reference.

Between the time the investigation was commenced in early January, until March 4, 1949, when Coplon and Valentine Alekseevich Gubitchev were arrested by agents of the FBI, Coplon travelled from Washington to New York on four occasions. On three of these trips, she proceeded immediately to the vicinity of 193rd Street and Broadway, New York City, an area which is 15 to 20 miles, and in the opposite direction, from her ultimate destination, her parents' home in Brooklyn. There she would meet Gubitchev, a Soviet national attached to the United Nations Secretariat as an engineer.

The meeting of February 18, 1949, the second observed by FBI agents, lasted only 4-5 seconds during which it appeared that Coplon gave Gubitchev something.

During the morning of March 4, 1949, a memorandum from the FBI to the Department of Justice was placed on Coplon's desk. This memorandum contained deceptive information which obviously would be of interest to a Soviet intelligence agent. That afternoon Coplon left Washington and upon arrival in New York, proceeded to the usual place in upper Manhattan, arriving there at 7:00 P.M. During the next hour, both Coplon and Gubitchev walked around the area and on two occasions passed within 2 or 3 feet of each other, obviously attempting to determine if they were being followed. Finally the two left the area and went separately to the congested area of Times Square where they went through a series of maneuvers consisting of walking behind each other on the street and sitting in different places in a bus and subway train, lending the impression that they were not together. After getting off a subway train in such a manner that the surveillance agent could not also leave the train discreetly, Coplon and Gubitchev were observed 15 minutes later walking together on Third Avenue about one block from the subway station where they left the train. A few moments later they were arrested by FBI agents.

A search of Coplon revealed that her purse contained a small package about 1 1/2" by 2 1/2". Inside, in Coplon's handwriting, was a summary of the deceptive memorandum placed on her desk earlier that day. Also in her purse was a second package enclosed in a wrapper formerly used to wrap ladies' hose. This package contained 34 data slips, all of which were summaries of FBI reports and all dealing with investigations by the FBI of suspected Communists and Soviet espionage agents. In addition to these data slips were 3 biographical sketches of acquaintances of Coplon, set out in such a way that they closely paralleled the questionnaires used by the Soviet agents in Ottawa, Canada, who were exposed in 1946. Too, the package contained a summary of Coplon's unsuccessful efforts to obtain a "Top Secret" FBI summary of Communist and Soviet espionage. Lastly, the second package contained a summary of Coplon's more recent

Original
Sent to Bureau

65-14932-673

FBI - NEW YORK
NOV 23 1949
W

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educational activities in Washington.

Gubitchev had \$125.00 in a plain white envelope, separate from other monies carried on his person. Also of interest was Gubitchev's diary which, among other entries, contained the single entry, "Take documents" in Russian, under the date of January 15, 1949. Gubitchev had been observed, during the morning of this date, in the Soviet Delegation to the U.N. building at 680 Park Avenue, for a little over an hour, although he was employed at 405 East 42nd Street. This was the morning following his January 14th meeting with Coplon.

All three meetings observed by the FBI bore many characteristics of conspiratorial meetings and closely followed the known modus operandi of Soviet agents when meeting. On these three occasions Coplon and Gubitchev used six different means of ingress and egress four different subway stations in the immediate vicinity of the rendezvous in coming to or going from the meetings. Two of the stations are serviced by both elevators and long tunnels, all of which were used.

Coplon was convicted in Washington, D. C., on June 30, 1949, of unlawfully removing the documents and also for doing so with intent to injure the United States and benefit a foreign nation. On July 1, 1949, she was sentenced to 1-3 years for the removal and 40 months to 10 years for the espionage.

Coplon and Gubitchev are to go on trial together in the Southern District of New York for conspiracy to commit espionage and defrauding the United States.

Director, FBI

November 25, 1949

SAC, New York

JUDITH COPLON;
VALENTINE A. SUBITCHEV
ESPIONAGE - R

JOE McKENZIE, Jury Clerk, Southern District of New York, has advised that two more jury panels will be called prior to December 27, 1949, trial date in this case. One panel will be called December 8, 1949, and the second December 19, 1949. Since the petit jurors for instant trial will be selected from these two panels, it will be necessary to screen these jury panels. Unless advised to the contrary by the Bureau, the procedure outlined herein will be followed:

The names of the individuals comprising the panels will be checked through the office indices, the files of the Credit Bureau of Greater New York, and the election records. The results of these checks, plus the available background information, will be placed on individual 6" x 9" sheets of paper, one sheet per juror. The sheets then will be arranged in alphabetical order and placed in 6 x 9 notebooks. The notebooks will be given to the Government attorneys prior to the selection of the petit jury. No report will be submitted in view of the time element.

It is estimated that the total number of eligible jurors will be about 150 persons per panel.

The files of the New York City Police Department will not be checked in view of the large number of names, the time element involved, and since the jurors are required to answer the question, "Have you ever been arrested or indicted for, or convicted of a criminal offense, or found guilty of fraud or misconduct by the judgment of any civil court?"

ERT:ENC
65-14932

65-14932-674

Director, FBI

Att: Mr. H. B. Fletcher

November 30, 1949

SAC, New York

JUDITH COPLON
ESPIONAGE - R

In accordance with the telephone conversation between ASAC A. H. Belmont of this office and Mr. H. B. Fletcher of the Bureau on the instant date, there is being enclosed one photostatic copy of ARCHIBALD PALMER'S Petition and Order To Show Cause Re Suppression Of Evidence Obtained Through Wire Tapping, etc.

It is understood that a copy of this has not yet been forwarded to Mr. Whearty of the Department but Mr. Irving Saypol, United States Attorney, Southern District of New York, is doing that today.

enc.

SPECIAL DELIVERY

TSM:CTC
65-14932

65-14932-675-8

RECEIVED SECRETARY U.S. DEPT. OF JUSTICE NOV 29 1949 <i>Mr. Wheatly</i>	
11 2/23	

November 28th, 1949.

C 129-158

Abraham L. Pomerantz, the lawyer requested by Gubitchev was one of the sponsors of the Cultural and Scientific Conference for World Peace held in March 1949.

His practice was civil and not criminal. I am informed that he never tried a criminal case in his life. It would therefore be very interesting to find out who his sponsors were for his appointment by our government as one of the prosecuting attorneys at the Nuremburg trials, especially because his political activities at that time were with the Labor Party and not the Democratic Party.

It may also be worthwhile to ascertain if he and Archibald Palmer, the attorney for Miss Coplan were friendly and interested jointly in prior civil litigation.

Very truly yours,

AN AMERICAN

*Received in this
condition: File Room
11/28*

65-14932-676
NOV 29 1949
<i>John</i>



SAVE THE EASY WAY
BUY U.S. BONDS
PAYROLL SAVING



U.S. Attorney
Southern District of New York

U.S. Court House

Foley Square

New York City 7

my

Federal Bureau of Investigation
United States Department of Justice
New York, N. Y.

November 30, 1949

MEMORANDUM:

Re: JUDITH COPLON
ESPIONAGE - R

There is attached a copy of a letter apparently emanating from Mr. Whearty of the Department, which was directed, as will be noted, to the United States Attorney for the Southern District of New York. Mr. Murphy related that the upper lefthand corner of the page has been cut out, but he states that this is the condition in which he received this piece of mail, and that he was giving it to us for whatever action we may wish to take in connection with it.

T. G. SPENCER,
Special Agent

TGS:RAA
65-14932

65-14932-677

F. B. I.	
DEC 8 1949	
N. Y. C.	
ROUTED TO	FILED

T S Miller

Director, FBI Att: Mr. H. B. Fletcher

December 1, 1949

SAC, New York

JUDITH COPLON
ESPIONAGE - R

Enclosed herewith is a photostat of an Order to Show Cause and Petition filed by ABRAHAM L. POMERANTZ on behalf of defendant GUBITCHEV, which Order and Petition is very similar to the one filed by PALMER previously in connection with telephone tapping.

Enc.

cc Washington Field (Enc.)
NY 65-14939

TSM:AG
65-14932

65-14932-678 6

SAC, Washington Field

December 1, 1949

SAC, New York

JUDITH COPLON
ESPIONAGE - R

There is being forwarded one photostatic copy of a Petition and Order to Show Cause Re Suppression of Evidence Obtained Through Wire Tapping, Etc. by Special Agent JOHN J. WALSH of your office.

This is for your information.

Enc.

TSN:ENC
65-14933

[Handwritten signature]

[Handwritten initials]

65-14932-6798

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

December 1, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. CLEGG
MR. GILL
MR. ROY
MR. BAULT
MR. VISOR
MR. CLERK
TRAINING UNIT

On November 30, 1949, Mr. H. B. Fletcher of the Bureau advised that he had been informed by Mr. John Kelley of the Department that the news tickers were carrying a story that Judge Ryan, Southern District of New York, had signed an order to show cause why the COPLON case should not be dismissed because of illegal wire tapping and also to show cause why evidence obtained should not be suppressed. Mr. Fletcher wanted us to check and get the details on this and let him know.

SA T. S. Miller ascertained the following information concerning this petition which was telephonically furnished to Mr. Fletcher on the afternoon of November 30:

The Petition and Order To Show Cause And Suppress All Evidence Obtained Through Wire Tapping, etc. was made by ARCHIBALD PALMER on November 28, 1949 and signed by Judge Ryan. It was received by United States Attorney Saypol at 5:50 pm on November 29. We are going to get a photostatic copy of it and forward it to the Bureau on the night of November 30. Mr. Saypol has not yet furnished a copy to Mr. Whearty but will send one to him on the evening of November 30. The petition is nine pages long and makes the following requests:

1. To suppress all records, transcripts and notes of any kind of intercepted telephone communications between COPLON and GUBITCHEV.
2. To suppress all evidence as a result of such telephone communications between COPLON and GUBITCHEV.
3. To direct the United States Government to turn over to COPLON all records, etc. of such conversations between COPLON and GUBITCHEV.
4. To suppress all notes obtained as a result of intercepting mail addressed to or mailed by COPLON and all evidence obtained therefrom.
5. To direct that the indictment against COPLON be dismissed in the event the hearing shows that any evidence was obtained directly or indirectly from wire tapping or intercepted mail.

The petition further requests that the following be submitted for an examination at the hearing at 10:30 am on December 5 in Room 1506:

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-6794	
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N. Y. C.	
ROUTED TO	FILE

T. S. Miller

MEMO
NY 65-14932

December 1, 1949

With respect to wire tapping and "mail cover dropping": All agents, supervisors, all persons connected with the FBI and the Department of Justice who directly or indirectly participated in such wire tapping or in any way acted in connection with the interception of telephone conversations or mail covers between COPLON and GUBITCHEV.

In support of his petition, PALMER included Mr. Granville, who testified at the pre-trial hearing regarding wire tapping, and stated that his testimony reflected that both Granville, as supervisor, and Mr. Belmont had knowledge of wire tapping; that Judge Reeves in Washington sustained all objections to wire tapping; he cited Section 605 of FCA prohibiting wire tapping; he cited a statement of March 15, 1940 by J. Edgar Hoover regarding a pending bill in Congress to legalize wire tapping wherein the Director states that abuses of such a bill would outweigh its value; he cited reports introduced in Washington trial as showing that the FBI taps wires and intercepts mail and stated that COPLON did not get her mail regularly but would receive it in large batches.

Mr. Fletcher inquired whether, as we do in the normal course of business, we had destroyed the recordings and tech slips pertaining to the technical surveillances of GUBITCHEV and COPLON. I advised him that this had been done in the normal course of business. Mr. Fletcher further asked whether we had had any mail covers on COPLON or GUBITCHEV. I advised him that there had been no instances of "intercepted mail" as alleged by PALMER; that we had no mail cover on COPLON but that we do have two mail covers on GUBITCHEV which are still existent, namely at 64 West 108 Street, where he resided at the time of his apprehension, and at 158 West 106 Street, where he had previously roomed. The only thing we have received from these mail covers is a return card last week reflecting a piece of mail from the UN at Lake Success.

At 5:40 pm on November 30, Mr. Fletcher advised that the Department has requested that we make the usual check of the petty jury panels of December 5 and 19 in the Southern District of New York. He was advised that we were already prepared to do this. Mr. Fletcher then advised that Mr. Whearty had informed him that no witnesses would be necessary for next Monday, December 5, at the hearing.

A. H. BELMONT
ASAC

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.
DECEMBER 2, 1949

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. BRIEF HEARING HELD THIS DAY BEFORE JUDGE RYAN ON PETITION AND ORDER TO SHOW CAUSE RE SUPPRESSION OF EVIDENCE OBTAINED THROUGH WIRE TAPPING. GOVERNMENT MOVED TO STRIKE OUT THAT PORTION OF JUDGE RYAN'S ORDER OF NOVEMBER TWENTY EIGHTH LAST WHICH REQUIRED THAT GOVERNMENT PRODUCE FOR PURPOSE OF EXAMINATION ALL BUREAU PERSONNEL HAVING ANY KNOWLEDGE OF OR CONNECTION WITH WIRE TAPPING CONCERNING COPLON AND GUBITCHEV. JUDGE RYAN ORDERED VACATED PARAGRAPHS ONE AND TWO OF PAGE TWO OF HIS ORDER WHICH REQUIRED THE PRODUCING OF BUREAU PERSONNEL IN COURT ON DECEMBER FIFTH FOR EXAMINATION. JUDGE RYAN STATED THAT AT TWO THIRTY PM ON MONDAY, DECEMBER FIFTH, HE WOULD HEAR ORAL ARGUMENTS FROM COUNSEL FOR ALL PARTIES CONCERNED IN CONNECTION WITH WIRE TAPPING ISSUE. GUBITCHEV NOT IN COURT NOR WAS HIS COUNSEL. JUDGE RYAN STATED THAT LAST EVENING HE HAD RECEIVED A CALL FROM ARCHIBALD PALMER, WHO WAS IN BALTIMORE, THAT HE WOULD NOT BE ABLE TO APPEAR IN COURT TODAY AND INSTEAD WOULD BE REPRESENTED BY ANOTHER ATTORNEY FROM HIS OFFICE. ATTENTION OF BUREAU IS DIRECTED TO FACT THAT AT TIME ATTORNEY ABRAHAM POMERANTZ WAS PLEADING BEFORE JUDGE RYAN FOR AN ADJOURNMENT HE INDICATED THAT HE MIGHT HAVE TO TRAVEL OUTSIDE OF NEW YORK TO EXAMINE WITNESSES AND IN THAT CONNECTION MENTIONED A PROBABLE TRIP TO BALTIMORE. SIGNIFICANCE OF PALMER'S PRESENCE IN BALTIMORE AND POMERANTZ' EXPECTED VISIT TO THAT CITY WAS NOT AND IS NOT NOW KNOWN.

SCHEIDT

cc - 65-14939 (Gubitchev)

JEM:CTC

65-14932

Approved: _____

Special Agent in Charge

Sent

1139 AM

Per

65-14932-680

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. LUGGINS
MR. KENNEDY
MR. LEWIS
MR. ROUSSAULT
MR. TOLSON
MR. TRACY
MR. WATSON
MR. WHELAN
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

December 2, 1949

MEMO

Re: JUDITH COPLON, VALENTINE GUBITCHEV
ESPIONAGE - R

At 5 p.m. on December 1st, I called Mr. H. B. Fletcher of the Bureau to advise him that the attorney for GUBITCHEV, ABRAHAM L. POMERANTZ, had filed an Order to Show Cause and Petition before Judge Ryan on December 1st along the same lines as that previously filed by attorney PALMER. POMERANTZ has left out of his Petition the request that FBI Agents having anything to do with the telephone tap be called as witnesses at the hearing on December 5th. He has included, however, in addition to the material in that of PALMER, a request that any information obtained by dictaphone recordings be suppressed and any information from such sources be turned over to GUBITCHEV. In his Petition POMERANTZ has also reiterated that GUBITCHEV is the Third Secretary of the Ministry of Foreign Affairs of the USSR, in this country on diplomatic passport and visa, and that he enjoys diplomatic immunity.

When referring to GRANVILLE's testimony at the pre-trial hearing, where GRANVILLE shows knowledge of a telephone tap on GUBITCHEV, POMERANTZ states that it further appears "that the aforesaid intercepted communications, their existence, contents, substance, purport, effect and meaning were divulged and published to other persons."

Mr. Fletcher was advised that Judge Ryan is calling PALMER and POMERANTZ before him at 10:30 a.m., December 2nd, at which time he will advise PALMER that he is removing his Order to Show Cause that portion directing that Agents of the FBI appear at the hearing for examination. A copy of POMERANTZ' petition is being forwarded to the Bureau.

Mr. Fletcher inquired as to whether we had any logs, transcripts or recordings of the COPLON tech. I advised him that we had no such items to my knowledge, but that the file would contain such things as the Bureau authority to place the tech and to discontinue it, and information from the tech in New York reports and teletypes and letters to the Bureau. Mr. Fletcher advised he will call me back on this and wanted us to be sure just what information we had concerning the tech.

AHB:AG

A. H. BELMONT, ASAC

65-14932-681

F. B. I.	
DEC 27 1949	
N. Y. C.	
ROUTED TO T. S. Mellish	FILED J. M.

on Mr. Fletcher's instructions, the entire Judith Coplon file was sent to Bureau via SA T. S. Mellish on night of 12-1-49 in order that Bureau case look-over memo etc in file

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NY
DECEMBER 5, 1949

Transmit the following Teletype message to: BUREAU -- URGENT

RE. JUDITH COPLON, WAS. ESP.-R. ATTENTION MR. H. B. FLETCHER. RE
TELEPHONE CALL OF ASAC BELMONT, NYC THIS DATE. THE MOTION/TO SHOW
CAUSE OF ATTORNEY PALMER WAS HEARD BEFORE JUDGE SYLVESTER RYAN ON THIS DATE.
ATTORNEYS JOHN KELLEY, ^A RAYMOND, WHEARTY AND USA IRVING SAYPOL REPRESENTED
THE GOVERNMENT. ATTORNEY POMERANZ REPRESENTING THE SUBJECT GUBITCHEV ALSO
HAD AN ORDER TO SHOW CAUSE. THE PURPOSE OF PALMER'S AND POMERANZ' MOTION
WAS TO HAVE THE COURT SUPPRESS ^P ANY EVIDENCE OBTAINED AS A RESULT OF WIRE TAPS,
MAIL COVERS, TRASH COVERS, MICROPHONES OR OTHER ILLEGAL MEANS. PALMER
ARGUED THAT IN WASHINGTON THE DOOR TO HIS INQUIRY INTO WIRE TAPPING BY
THE FBI HAD BEEN CLOSED BY JUDGE REEVES AND THAT NOW JUDGE RYAN HAD OPENED
IT. PALMER STATED THAT IN WASHINGTON AGENTS GRANVILLE AND MILLER HAD
DODGED THE QUESTION CONCERNING WIRE TAPPING AND THAT NOW IN NY THEY HAD
ADMITTED THAT THERE WERE WIRE TAPS. PALMER STATED THAT GRANVILLE NOW ADMITTED
THE WIRE TAPS UNDER THE SHELTER OF MR. BELMONT. PALMER QUOTED THE NARDONE
CASE AND POINTED OUT THAT ALL EVIDENCE WHICH RESULTED FROM A WIRE TAP MUST
BE SUPPRESSED. HE STATED THAT THERE WAS MORE TO THIS BUSINESS OF WIRE TAPPING
THAN JUST THE CASE OF JUDITH COPLON BUT THERE WAS THE ENTIRE PROBLEM OF
THE GOVERNMENT INVESTIGATING AND PROSECUTING PEOPLE WHO DID NOT HAVE A
CHANGE TO KNOW WHAT THE CHARGES WERE AGAINST THEM. HE ADDED THAT THE

cc: NY 65-14939

WJM:EMM
65-14932

Approved: 
Special Agent in Charge

Sent 1103/8 M Per cy

65-14932-682-8

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

PAGE TWO

NEW YORK, NY
DECEMBER 5, 1949

Transmit the following Teletype message to:

COURTS WERE THE ONLY PROTECTORS OF THESE PEOPLE. PALMER STATED THAT THE FBI RAN SCHOOLS TO TEACH POLICE DEPARTMENTS ALL OVER THE COUNTRY HOW TO TAP WIRES. HE STATED THAT HE WANTED BEFORE THE COURT HERE ALL AGENTS WHO HAD ANYTHING TO DO WITH THE WIRE TAPS. HE STATED THAT HE NEEDED THESE PEOPLE IN ORDER TO ESTABLISH WHETHER OR NOT ANY EVIDENCE RESULTED FROM THE TAPPING. WHEN THE GOVERNMENT STATED THAT THERE WERE NO CONVERSATIONS BETWEEN THE DEFENSE ^{DANT} COPLON AND GUBITCHEV AND THAT THE GOVERNMENT WOULD FILE AN AFFIDAVIT TO THAT EFFECT, PALMER STATED THAT HE WANTED TO INQUIRE OF THE AGENTS TO DETERMINE IF THEY WOULD RECOGNIZE THE VOICES OF COPLON AND GUBITCHEV. JUDGE RYAN STATED THAT HE DID NOT FEEL THAT ALL EVIDENCE WHICH RESULTED FROM A WIRE TAP WAS INADMISSIBLE AND HE GAVE AN EXAMPLE AS FOLLOWS: IF THE FBI ON MONDAY PICKED UP A TELEPHONE CONVERSATION BY A TAP THAT THERE WAS TO BE A BANK ROBBERY ON TUESDAY AT ELEVEN AM AND ^{AS} RESULT THEY PLANTED THE BANK AND ARRESTED THE BANK ROBBERS, JUDGE RYAN STATED THAT HE FELT THAT THE EVIDENCE THAT THESE MEN WERE GOING TO ROB A BANK WOULD BE ADMISSIBLE AND THAT THE NARDONE CASE DID NOT INTEND TO GIVE IMMUNITY TO PERSONS WHO 3 COMMITTED THE CRIME JUST BECAUSE INFORMATION CONCERNING THE CRIME OR INFORMATION WHICH GAVE LEADS TO THE LAW ENFORCEMENT OFFICERS WERE OBTAINED AS A RESULT OF WIRE TAP. PALMER STATED THAT HE FELT THAT EVEN THOUGH IT WOULD BE HIDEOUS, THE BANK ROBBERS WOULD BE IMMUNE. POMERANZ AGREED WITH PALMER.

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

PAGE THREE

Transmit the following Teletype message to:

/ PALMER QUOTED AN ARTICLE BY ~~THE DIRECTOR, J. Edgar Hoover~~, WHEREIN THE
DIRECTOR DISCUSSED WIRE TAPS AND STATED THAT THE FRUITS OF TAPS WERE IMMORAL.
~~THE JUDGE REVIEWED PALMER'S MOTION DISCUSSING IT, PARAGRAPH BY PARAGRAPH.~~
of the Motion
- CONCERNING THE FIRST PARAGRAPH WHEREIN PALMER WANTED THE INTERCEPTS BETWEEN
COPLON AND GUBITCHEV, JUDGE RYAN DIRECTED THAT THE GOVERNMENT FILE AN
AFFIDAVIT TO THE EFFECT THAT THERE WERE NO INTERCEPTS. PALMER INTERRUPTED
THE JUDGE AND STATED THAT HE WANTED TO INQUIRE INTO ALL CONVERSATIONS THAT
JUDITH COPLON HAD WITH ANYONE IN ORDER TO DETERMINE IF ANY OF THE INDIVIDUALS
WITH WHOM SHE SPOKE COULD HAVE BEEN GUBITCHEV. HE FELT THAT THIS COULD ONLY
BE DONE BY HIS PUTTING ALL THE AGENTS WHO HAD ANYTHING TO DO WITH
THE WIRE TAPPING ON THE STAND AND QUESTIONING THEM CONCERNING THEIR KNOWLEDGE
OF VOICES OF GUBITCHEV AND COPLON. HE STATED HE WANTED TO AMEND HIS
MOTION TO INCLUDE THE PRODUCTION OF EVERY SINGLE MESSAGE RECEIVED BY THE FBI
involving Coplon.
ON ALL TELEPHONE TAPS. HE INSISTED THAT COPLON MUST HAVE RETURNED TO HER
ALL OF HER CONVERSATIONS. CONCERNING THE SUPPRESSION OF EVIDENCE OBTAINED
AS A RESULT OF A MAIL COVER ON COPLON, KELLEY STATED THAT THERE WAS NO
as a result of a mail cover
EVIDENCE ~~TO THIS EFFECT~~ AND THE JUDGE REQUESTED THAT HE FILE AN AFFIDAVIT
TO THIS EFFECT. PALMER STATED THAT HE WANTED THE FBI TO PRODUCE ALL
COMMUNICATIONS BETWEEN JUDITH COPLON AND ANYONE ELSE. ~~STATED THAT THE~~
~~GOVERNMENT WOULD DO THIS IF THE MESSAGES WERE CONVENIENTLY AVAILABLE.~~

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

PAGE FOUR.

Transmit the following Teletype message to:

PALMER ASKED THE COURT IF THE COURT WOULD INQUIRE INTO THE QUESTION AS TO WHETHER OR NOT HIS, PALMER'S WIRE WAS TAPPED. JUDGE RYAN STATED HE WAS NOT GOING TO ACT AS A GRAND JURY BUT WAS ONLY GOING TO HEAR A MOTION WHICH HAD BEEN FILED BY PALMER CONCERNING THE WIRE TAPPING OF THE DEFENDANT COPLON AND RULE ON THAT. PALMER STATED THAT HE WANTED TO HAVE IDENTIFIED ALL TELEPHONES TAPPED AFTER MARCH FOUR FORTY NINE WHEREIN THE DEFENDANT COPLON WAS INVOLVED, THAT IS PHONES ON HER MOTHER AND SO FORTH. JUDGE RYAN ASKED MR. KELLEY IF HE WOULD FURNISH AN AFFIDAVIT CONCERNING THIS. PALMER OFFERED THE JUDGE AN ARTICLE RELATIVE TO WIRE TAPPING BY THURMAN ARNOLD AND THE JUDGE REFUSED TO ACCEPT IT. HE ALSO OFFERED AN ARTICLE EITHER BY THE DIRECTOR OR WHEREIN THE DIRECTOR WAS QUOTED. THE JUDGE REFUSED TO ACCEPT IT. POMERANZ IN ARGUING HIS MOTION WANTED TO KNOW IF ANY GUBITCHEV TELEPHONE WAS TAPPED. THIS INCLUDED HIS HOME AND HIS OFFICE PHONE. THE JUDGE INSTRUCTED THE GOVERNMENT TO PREPARE AN AFFIDAVIT. POMERANZ STATED THAT THE INDICTMENT IN THE INSTANT CASE CHARGES THAT THERE EXISTS A CONSPIRACY BETWEEN GUBITCHEV, COPLON AND PERSONS UNKNOWN. HE FEELS THAT HE HAS A RIGHT TO KNOW WHO THE OTHER PERSONS ARE. THEREFORE, HE FEELS THAT HE SHOULD HAVE AVAILABLE TO HIM THE SLIPS OR RECORDS OF ALL GUBITCHEV'S TELEPHONE CALLS SINCE THE OTHERS WHO ARE DESCRIBED AS UNKNOWN MAY BE INVOLVED IN THE CONSPIRACY. JUDGE RYAN STATED THAT IT MIGHT BE

Approved: _____
Special Agent in Charge

Sent _____ M. Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

PAGE FIVE

Transmit the following Teletype message to:

INCUMBENT ON THE COURT TO REVIEW RECORDS OF THE WIRE TAPPING AND PASS ON THEM. POMERANZ ALSO REQUESTED THE COURT TO INQUIRE INTO ANY ILLEGAL MICROPHONES IN THE HOME OR OFFICE OF GUBITCHEV. JUDGE RYAN STATED THAT A HEARING ON THE ENTIRE MATTER WOULD BE HELD ON MONDAY, DECEMBER TWELVE FORTY NINE AT TEN THIRTY AM. HE ADDED THAT THE AFFIDAVITS SHOULD BE PREPARED AND SUBMITTED BY MONDAY. PALMER REQUESTED THAT COPIES OF THE AFFIDAVITS BE FURNISHED TO HIM EARLIER AND JUDGE RYAN ASKED THE GOVERNMENT TO GIVE HIM COPIES BY FRIDAY, DECEMBER NINE.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
DECEMBER 6, 1949

Transmit the following Teletype message to:

BUREAU....ROUTINE

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP-R. JURY CLERK, SDNY, ADVISED ABRAHAM POMERANTZ, ATTY FOR GUBITCHEV, HAS PURCHASED THE NAMES OF THE DECEMBER SIXTH AND DECEMBER NINETEENTH JURY PANELS. DECEMBER SIXTH PANEL IS COMPRISED OF FOUR HUNDRED NAMES, THE DECEMBER NINETEENTH PANEL HAS TWO HUNDRED SEVENTY FIVE NAMES.

SCHEIDT

RR
ERT:IM
65-14932

Approved: *GS*

Special Agent in Charge

Sent 7⁵³ PM

Per *Wm.*

65-14932-6838

Federal Bureau of Investigation
United States Department of Justice

New York, New York

December 6, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

MR. BELMONT
MR. WHELAN
MR. COLEMAN
MR. GUNVILLE
MR. HENNESSY
MR. KENNEDY
MR. LEWIS
MR. MARQUSSAULT
MR. PETERSON
MR. SUPERVISOR
MR. TOLSON
MR. WALKER
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

On the morning of December 5, Mr. H. B. Fletcher of the Bureau inquired whether we had any trash cover on GUBITCHEV or COPLON in New York. I advised him that we had not had any trash cover on them. Mr. Fletcher then advised that the Director had gone over the memorandum prepared by the Bureau concerning the method to be utilized in answering the petitions of PALMER and POMERANTZ on the wire tapping problem and that the Director's opinion was that the Bureau should not give them anything from the records of the Bureau. Mr. Fletcher advised that the Attorney General had suggested that the monitoring employees be available; therefore, we should check to see what employees monitored the COPLON and GUBITCHEV techs. Mr. Fletcher advised that Mr. Peyton Ford, Mr. Whearty, Mr. Kelley, Mr. George Kneip and Mr. Fred Stryne have come up from the Department to New York to consider any problems that might arise during the hearing before Judge Ryan on December 5.

On the afternoon of December 5, I called Mr. Fletcher to advise him that we had inquired of the [redacted] the COPLON and GUBITCHEV technical surveillances and as a result we had the names of 29 agents and special employees. In order to know exactly what each one remembers, we would have to interview them. Also, some of them might have [redacted]

b7E
b7D

I pointed out further that the Bureau might bear in mind that it is customary for an agent making a recording not to listen as he is busy doing other things. Consequently, all such recordings and slips were gone over by the agent handling the case and possibly myself. Therefore, it might be that if it comes to testifying, Agent Miller and possibly Agent Brennan and myself could handle the matter on the premise that other agents would not be in a position to know what was said. The list of agents as worked up by Supervisor Ragan is attached hereto.

Revised
see later
memo
2

At about 3:30 pm, I again talked to Mr. Fletcher to advise him that the hearing before Judge Ryan had ended. PALMER and POMERANTZ reiterated their request for all recordings or records resulting from the telephone taps both here and in Washington. PALMER changed his petition to reflect any conversations had by COPLON as well as any between COPLON and GUBITCHEV. The government attorneys advised that there were no conversations between COPLON and GUBITCHEV and PALMER said it would be necessary for the defense to listen to the recordings to identify the voices as possibly they had used other names. The defense attorneys also reiterated their request for [redacted]

DEC 6 - 1949	
N. Y. C.	
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att.

AHB:CTC
65-14932

cc - 65-14939 (Gubitchev)

65-14932-683

MEMO

NY 65-14932

December 6, 1949

any results from mail covers, mail interceptions, trash covers, dictaphones, etc. and made the request that any employees or special agents who had anything to do with these coverages be required to testify orally concerning the contents thereof. Mr. Fletcher was advised that the government had replied it would furnish affidavits to the effect that none of the information gained from these sources was pertinent to or led to the investigation on the basis of which the subjects were arrested. Judge Ryan advised the government to put in these affidavits and another hearing has been set for 10:30 am on December 12 for this purpose.

Mr. Fletcher was advised that some indication of the way the judge is thinking may be deduced from his question to the defense attorneys as to whether they thought the following situation would warrant no prosecution based on the fact that the original information arose from a wire tap:

If the FBI put on a tap on Monday and overheard a plan by convicts to rob a bank, and as a result watched the bank the next day and apprehended the robbers in the act of robbing the bank, would the arrest be illegal because it was based on the information from the tap?

The defense attorneys advised that under the Nardonne Decision, this would be illegal regardless of the fact that the robbers deserved to be apprehended. The judge said that he could not agree with this.

Relative to the affidavits to be prepared by the government, Mr. Fletcher advised we should not contact the government attorneys regarding this but rather should let them bring it up to the Bureau and the Bureau would work out what affidavits should be prepared.

At 4:30 pm on December 5, Mr. Fletcher called again to advise that SA T. S. Miller should come to Washington, D. C. tonight bringing with him the COPLON and GUBITCHEV files in order that the Bureau might prepare a brief on the transcript of the information obtained over the technicals. He advised that Agent Miller would be in Washington for the rest of the week, at least until Thursday night. I advised him Agent Miller would bring the files as requested. I also pointed out that Supervisor Granville had mentioned that while PALMER quoted his testimony at the pre-trial hearing in his petition, he did not bring out that in response to his question on several occasions as to whether any of the information obtained over the taps had been of value to the investigation, Granville had replied in the negative. Mr. Fletcher was advised that possibly this might be of interest in preparing the affidavits. He agreed. Therefore, Agent Miller is likewise taking this information to Washington with him.

A. H. BELMONT
ASAC

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
DECEMBER 8, 1949

Transmit the following Teletype message to:

OMAHA....URGENT

JUDITH COPLON, ESP-R. IMPERATIVE SA BREWER WILSON BE IN NY FRIDAY
EIGHT THIRTY AM, DECEMBER NINTH.

SCHEIDT

RRG:IM
65-14932

RPR

[Signature]
Approved: _____
Special Agent in Charge

Sent *9:34 a.m.*

Per *SB*

65-14932-684 *8*

Federal Bureau of Investigation
United States Department of Justice

New York, New York

December 8, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

On the afternoon of December 7, I received a call from Mr. Fred Baumgardner of the Bureau advising that Departmental attorneys and the Bureau are working up the appropriate affidavits to comply with the instructions of Judge Ryan relative to the defense attorneys' petitions to suppress the evidence on the basis of wire taps, etc. Mr. Baumgardner advised that it may be necessary to submit individual affidavits on the part of all the agents who will be witnesses in the case. These affidavits are being prepared at the Bureau and will be brought up to the New York office the night of December 8 in order that the agents may sign them on December 9 and the affidavits thereafter submitted to Judge Ryan. It is imperative, therefore, that all of the agents in question, a list of whom is set forth hereafter, be available at the New York office on December 9 for the purpose of signing these affidavits.

Mr. Baumgardner then put SA T. S. Miller on the telephone who advised that in order to prepare these affidavits, the Bureau desired that each of these agents be asked the following questions and the results be furnished to the Bureau on December 7:

1. Who gave the agent instructions to go on the surveillance of COPLON or GUBITCHEV on any or all of the following dates: January 14, 15; February 18; March 4.

2. Did the agent have any knowledge or reason to believe, etc. that the telephones of COPLON or GUBITCHEV were tapped or did they read or were they given any information that came over the telephone taps on COPLON or GUBITCHEV.

(With reference to Question 2, the affidavits will reflect a time element; that is, did they have any such knowledge at the time they went on the surveillances. Thus, this question deals only with any knowledge the agent may have had prior to and including the time of arrest on March 4.)

The following agents and employees were contacted and asked these questions and the results, as set forth, were telephonically furnished to Mr. Baumgardner on the afternoon of December 7:

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. JENNEDY
MR. LEVVIS
MR. MACDONALD
MR. TOLSON
MR. WATSON
MR. WILSON
MR. YERGEN
MR. ZIEGLER
MR. CLEGG
PROPERTY CLERK
TRAINING UNIT

65-14932-685

F. B. I.	
DEC 8 - 1949	
N. Y. C.	
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MEMO
NY 65-14932

December 8, 1949

	<u>SURVEILLANCE DATES</u>	<u>QUESTION 1</u>	<u>QUESTION 2</u>
✓ Richard T. Hardsky ✓ <i>ok</i>	January 14, 15; February 18; March 4	Granville	No
✓ Richard E. Brennan ✓ <i>ok</i>	January 14, 15;	Granville	Reviewed slips and records on COPLON tech; no knowledge on GUBITCHEV tech.
✓ Catherine T. Condon ✓ <i>ok</i>	March 4	Granville	No
✓ Thomas J. McAndrews ✓ <i>ok</i>	February 18	Granville	No
✓ Martin F. Carey ✓ <i>ok</i>	February 18; March 4	Miller	No
✓ John J. Ward ✓ <i>ok</i>	March 4	Miller	No
✓ John P. Daley ✓ <i>ok</i>	March 4	Miller	No
✓ Robert R. Granville ✓ <i>ok</i>	March 4	Own volition	Heard there were tech from Belmong but did not read slips or listen to records
✓ Edward F. McCarthy ✓ <i>ok</i>	March 4	Granville	No
✓ Sappho Manos <i>Extended S. leave</i>	February 18	Granville	No
✓ Robert J. Wirth ✓ <i>ok</i>	February 18; March 4	Granville	Read slips and heard records on GUBITCHEV; no knowledge on COPLON.
✓ John F. Walley ✓ <i>ok</i>	January 14, 15; February 18; March 4	Miller or Granville	No
✓ Thomas H. Zoeller ✓ <i>ok</i>	March 4	Granville	No
✓ Daniel F. Garde ✓ <i>ok</i>	January 14, 15; February 18; March 4	Miller or Granville	No

MEMO
NY 65-14932

December 8, 1949

<u>SURVEILLANCE DATES</u>	<u>QUESTION 1</u>	<u>QUESTION 2</u>
---------------------------	-------------------	-------------------

✓ John R. Murphy ✓ *ok*

March 4

Miller

No

✓ A. H. Belmont ✓ *ok*

Not on surveillance

Had knowledge of
both techs.

✓ Roger W. Robinson ✓ *ok*

This agent on leave in Massachusetts and has been instructed to be present in the New York Office on the morning of December 9.

✓ Brewer Wilson ✓ *ok*

This agent is now assigned to the Omaha Office and has been instructed to be in the New York Office on the morning of December 9.

Agent Miller also advised that the Bureau will prepare affidavits to establish a complete chain to show that the information resulting in the physical surveillances arose from FOLEY of the Department to an official of the Bureau to an official of the New York office on each of the dates, January 14, February 18 and March 4. Agent Miller is going through the New York file which he has in Washington in order to get the data to prepare these affidavits.

A. H. BELMONT
ASAC

FBI OMAHA
SAC NEW YORK CITY
U R G E N T

12-8-49

9-20 AM CST

BFC

JUDITH COPLON, ESP R. REURTEL TODAY. SA BREWER WILSON LEAVING
DES MOINES IOWA TWO TWENTY PM TODAY, ARRIVING NYC NINE FIFTY PM
TONIGHT, VIA AIRLINES.

DALTON.

END

ACK

OK FBI NYC DB

V

Ed
MR. SCREDDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCESSA
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TOCHY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

65-1493 v-68
F. B. I.
DEC 8 1949
N. Y. C.
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12

December 8, 1949

Director, FBI Att: Mr. H.B. Fletcher

SAC, New York

VALENTINE A. GUBITCHEV
ESPIONAGE-R

Re telephone call to Bureau today.

Transmitted herewith are the following motions in connection with the case of the United States of America vs. JUDITH COPLON and VALENTINE A. GUBITCHEV:

1. ORDER TO SHOW CAUSE TO DISMISS FIRST COUNT
2. ORDER TO SHOW CAUSE FOR SEVERANCE
3. ORDER TO SHOW CAUSE FOR REARGUMENT OF JURISDICTION

The enclosures were furnished to this office this afternoon by U. S. Attorney Irving H. Saypol.

SPECIAL DELIVERY

RRG:IM

65-14939

cc - 65-14932 ✓

Enclosures - 3

65-14932-687

Director, FBI

December 9, 1949

SAC, New York

JUDITH COPLON
ESPIONAGE - R

ReNYlet 11/18/49 in which there was set out information contained in New York files concerning ABRAHAM L. POMERANTZ, who has been retained as attorney for VALENTIN A. GUBITCHEV. The following additional material is being furnished for the information of the Bureau:

Confidential Informant [] advised that the National Council of American Soviet Friendship held a dinner at the Hotel Commodore, New York City, March 23, 1948 to honor ALEXANDRE PANTUSHKINE, Soviet Ambassador to the United States, and among the individuals seated at a table reserved for guests of honor was ABRAHAM POMERANTZ.

Confidential Informant NYT 310 advised that RICHARD MONROE told PROFESSOR JEROME DAVIS that at a meeting (of the NCASF scheduled to be held at the City Center Casino, New York City) on June 23, 1948 ABRAHAM POMERANTZ would be among the speakers present.

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b7E

Confidential Informant [] on August 15, 1949 furnished "Call to the American Continental Congress for Peace" to be held in Mexico City September 5th to 10th, 1949. Among the United States sponsors listed for this Congress was ABRAHAM L. POMERANTZ.

The "Greek American Tribune" of April 1, 1949 contained a message of condolence on the death of DEMETRIUS CHRISTOPHORIDES, Editor-in-Chief of the "Greek American Tribune", from the American Council for a Democratic Greece, ABRAHAM L. POMERANTZ, Co-Chairman.

An anonymous source mentioned in the report of SA P. J. Tierney dated November 3, 1948 at Washington, D.C. in the case entitled, "NATIONAL LAWYERS GUILD; INTERNAL SECURITY - C", advised that A. L. POMERANTZ was the Acting Chairman of the Sub-Committee on Antitrust Laws of the Social Legislation Committee.

The September, 1948 issue of the "New York Guild Lawyer" listed

cc: NY 65-14939
100-86597

RPMcc:MMW
65-14932

65-14932 - 688

Letter to the Director
NY 65-14932

ABRAHAM POMERANTZ as on the Board of Directors of the New York Chapter of the Lawyers Guild.

In the report of SA L. E. Kingman dated January 15, 1940 at Oklahoma City, in the case entitled, "GEORGE O. PERSHING; COMMUNISTIC ACTIVITIES IN THE UNITED STATES -- SUBVERSIVE ACTIVITIES", it was set forth that GEORGE O. PERSHING was arrested in Oklahoma City in January, 1939 while representing the Medical Bureau to Aid Spanish Democracy. Among the personal addresses in his possession was that of AL POMERANTZ, attorney, 120 Argyle Avenue, New Rochelle, New York, and also, Mr. A. L. POMERANTZ, 120 Argyle Avenue, New Rochelle, New York.

Through the cooperation of Mr. JOHN O'NEILL, of the Bookkeeping Department, Manufacturers Trust Company, 515 Fifth Avenue, New York City, a check of the account in the name of BERNARD ADES, or KATHERINE L. HARRIS, reflected among others the following check:

Date	Check No.	Payee	Check Cashied At or Deposited In	Amount	Endorser
2/7/49	1092	A.L.POMERANTZ	Chase	\$23.74	ABRAHAM L. POMERANTZ

It is noted that KATHERINE L. HARRIS is the wife of LEONARD UPHAM HARRIS and ADES has been the accountant for the Jefferson School of Social Science.

An anonymous source mentioned in the report of SA M. M. BRIGHT dated October 25, 1948 at Los Angeles in the case entitled, "CIVIL RIGHTS CONGRESS; INTERNAL SECURITY - C", advised that among the list of names maintained by LEW GOLDSMITH, National Director of the Civil Rights Congress was that of ABE POMERANTZ-
TR 7-7933.

Letter to the Director
NY 65-14932

An anonymous source mentioned in the report of SA E. R. Harrell dated August 18, 1949 at New York in the case entitled, "YUGOSLAV CONSULATE; INTERNAL SECURITY - YU & R", advised that the names of Mr. and Mrs. ABRAHAM POMERANTZ, Park Crescent Hotel, 87th Street and Riverside Drive, New York City, appeared on what apparently was to be a mailing list of a reception or dinner given by Consul General MARKOVIC, of the Czech Consulate, and it also appeared to informant that they would attend the dinner or reception.

In the report of SA J. S. McCool dated October 18, 1949 at New York in the case entitled, "UDVIK KALINA, was; INTERNAL SECURITY - CZ", the records of the Hotel Berkley, 111 East 48th Street, New York City, indicated that on September 22, 1949 KALINA contacted ABRAHAM L. POMERANTZ, lawyer, 295 Madison Avenue, New York City. British sources known to the Bureau had reported that KALINA was head of Centrotex, a marketing corporation for the Czech textile industry, and also reported to be a Czech Communist. [redacted] advised on April 22, 1949 that KALINA was a known Czech Communist agent enroute to the United States.

In the report of SA F. D. O'Brien dated October 29, 1948 at New York in the case entitled, "PALESTINE SITUATION, RECRUITMENT PROGRAM; REGISTRATION ACT; NEUTRALITY ACT", it was set forth that MILTON RUBENFELDT, a Second Lieutenant in the Air Force Reserve, residing at 699 Central Avenue, Peekskill, N.Y., advised that just prior to his departure for Palestine RUBENFELDT was taken through the Skoda Works in Czechoslovakia. On this tour he met one POMERANTZ, an American, but otherwise unidentified, who he later learned was the "watch-dog" for the Palestinians in connection with contracts the Palestine Government had with the Czechs for securing aircraft. RUBENFELDT declared that he became very friendly with POMERANTZ and was of the definite opinion that POMERANTZ had a wealth of knowledge concerning the activities of the Skoda Works. The incident related by RUBENFELDT apparently took place in the early part of 1948. It is not known whether this person might be identical with ABRAHAM L. POMERANTZ.

On March 17, 1943 DAVID SCOPE, Treasurer, and ALAN MEHIER, Secretary, of the Brussels Sewing Machine Company, 202 Green Street, New York City, advised that one ABRAHAM MARKOWITZ, who said he was with the firm of ABRAHAM L. POMERANTZ,

Letter to the Director
NY 65-14932

295 Madison Avenue, New York City, came to MENLER's office and served a legal paper, stating that he was serving it for the United States Marshal. This paper was filed on behalf of the United States Government and GERTRUDE EDELSTEIN, stating that U.S. Government contracts had been fraudulently obtained and would have required the Brussels Sewing Machine Company to answer these charges. SCOPE and MENLER did not know EDELSTEIN. They stated that a review of the papers indicated someone had furnished such confidential information of the firm to someone not authorized to receive same. A subsequent check of the United States Marshal's Office reflected that no papers had been served on the Brussels Sewing Machine Company; that no MARKOWITZ was with the Marshal's Office, and that the papers would have to be served with the Marshal's Office.

On January 6, 1948 J. HILLS SUMMERS, of the Camloc Corporation, 420 Lexington Avenue, telephonically contacted the New York Office. SUMMERS said he was the President of the Camloc Fastener Corporation and claimed that ABRAHAM POMERANTZ, FRANK MARIANI, FRANK SCHNEIDER, CHESTER MUELLER, CITLIN, and SCHAL had taken control of the company which SUMMERS founded. The company made a type of lock used in airplanes construction and the company had Army contracts and access to secret plans. SUMMERS felt that the above group was pro-Russian and probably "Commies". He based this opinion on conversations wherein these men spoke favorably of Russia and criticized the United States.

In the report of SA R. F. Miller dated 4/28/48 at New York in the case entitled, "MARGARET BROWDER, was; INTERNAL SECURITY-R", it was set forth that MARGARET BROWDER under the name ANN MEADOWS was in business as "The Meadows Service, Inc." at 20 Cornelia Street, New York City. She was associated with her brother, EARL BROWDER, until about January, 1948, when "The Meadows Service, Inc." opened offices at 20 Cornelia Street. [redacted] advised that MEADOWS SERVICE INC. of 20 Cornelia Street, New York City, opened its business on December 22, 1947 and that the officers were:

President
Vice-President
Secretary

Mrs. ESTHER GOLDBERG
JEAN BERKE
ANN MEADOWS

b7D

Letter to the Director
NY 65-14932

At the County Clerk's Office it was ascertained that incorporation papers were filed by MAXIM GITLIN of 295 Madison Avenue. One of the Directors until the first annual meeting of the stockholders (besides GOLDBERG and BERKE) was ABRAHAM I. MARKOWITZ of 295 Madison Avenue, New York City. Both GITLIN and MARKOWITZ were associated with the firm of POMERANTZ, LEVY, SCHREIBER and HOUDEK.

According to [redacted] ESTHER GOLDBERG was an organizer for the Communist Party in New York City and [redacted] reported on September 26, 1947 that JEAN BERKE was a member of the West Midtown Branch of the Communist Party. b7D

[redacted] on June 20, 1949 advised that Mrs. ABRAHAM POMERANTZ invited ERVIN MUNK, then Czech Consul in New York, and his wife to have dinner at the home of HARRY RACHSON, but MUNK declined. b7E

The "Morning Freiheit" of February 8, 1946 had an article by one A. POMERANTZ concerning the election scheduled to be held in Russia on February 10th of that year. The article contained the opinion that the peoples character of Soviet Democracy is much superior to the formal democracy in the capitalist countries.

In the "Morning Freiheit" of June 3, 1946 one A. POMERANTZ had an article criticizing the Readers Digest as an anti-Semitic, Fascist, anti-labor magazine.

NYT-500 advised on October 18, 1949 that an unidentified woman was in contact with ISIDORE NEEDLEMAN, the attorney for the Amtorg Trading Corporation, and advised NEEDLEMAN that there was to be a meeting at the office of ABE POMERANTZ at 295 Madison Avenue on October 19th at 5 p.m. The same informant on October 20, 1949 advised that NEEDLEMAN was in contact with MENDEL LURIE, an attorney, and LURIE agreed to go to a meeting at ABRAHAM POMERANTZ' office on October 27th. It was apparent to the informant that the meeting was in connection with the candidacy of VITO MARCANTONIO for Mayor in New York City.

M 2

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
DECEMBER 12, 1949

Transmit the following Teletype message to:

BUREAU...URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP-R. RE MOTIONS HEARD BEFORE JUDGE SILVESTER RYAN TODAY. POMERANTZ MADE MOTION FOR REARGUMENT OF JUDGE RIFKIN'S DECISION CONCERNING DIPLOMATIC IMMUNITY OF GUBITCHEV. / POMERANTZ CLAIMED RIFKIN MADE ERROR AND REQUESTED PERMISSION TO REARGUE APPLICATION OF DIPLOMATIC IMMUNITY BEFORE RIFKIN. MOTION ^{DESPOSED OF} ~~DENIED~~ BY JUDGE RYAN HOWEVER RYAN GAVE POMERANTZ PERMISSION TO APPLY TO CIRCUIT COURT FOR WRIT OF HABEAS CORPUS ON PROHIBITION, STATING HE WOULD GIVE POMERANTZ UNTIL WEDNESDAY MORNING FOR SAME. SECOND MOTION BY POMERANTZ WAS FOR SEVERANCE ON GROUNDS THAT COPLON'S CONVICTION IN WASHINGTON WOULD PREJUDICE CASE AGAINST GUBITCHEV. RYAN ^{DENIED} ~~DENIED~~ MOTION AND INSTRUCTED ATTYS FOR DEFENSE AND FOR GOVT NOT TO MENTION COPLON'S CONVICTION IN WASHINGTON DURING COURSE OF COMING TRIAL BUT ALLOWED THAT RECORD FROM WASHINGTON TRIAL COULD BE USED TO REFRESH THE RECOLLECTION OF WITNESSES OR TO IMPEACH THE WITNESSES. THIRD MOTION BY POMERANTZ WAS TO SUPPRESS EVIDENCE AND TO ^{RETURN} ~~READ~~ THE PAPERS TAKEN FROM GUBITCHEV AT TIME OF HIS ARREST. RYAN INSTRUCTED GOVT TO SUBMIT AFFIDAVIT AS TO WHAT PAPERS WERE TAKEN FROM GUBITCHEV, WHAT PAPERS WERE RETURNED AND WHY PAPERS WERE TAKEN. FOURTH MOTION BY POMERANTZ WAS TO DISMISS FIRST COUNT OF INDICTMENT. POMERANTZ CLAIMED THIS COUNT ALLEGES TWO DISTINCT CRIMES AND ALSO THERE IS AN INSUFFICIENCY OF LAW. RYAN RULED OUT CLAIM OF INSUFFICIENCY OF LAW BUT STATED THERE WAS MERIT TO POMERANTZ'S ALLEGATION THAT FIRST COUNT ALLEGES TWO DISTINCT CRIMES. HE HEARD THE GOVT ATTYS REBUTTAL ON THIS POINT BUT WAS NOT SATISFIED AND REQUESTED GOVT REARGUE THIS POINT TOMORROW, MAKING AVAILABLE IF POSSIBLE CASES IN POINT TO SUPPORT THEIR POSITION. PALMER'S MOTION CONCERNING THE INTERCEPTED

65-14932

cc -65-14939

ERT:IM Approved:

Special Agent in Charge

Sent 5:24 P

Per

65-14932-689

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

PAGE TWO

TELEPHONE COMMUNICATIONS WAS THEN HEARD. HE ASKED IF THE TRANSCRIPTS OF INTERCEPTED TELEPHONE COMMUNICATIONS WERE AVAILABLE. JUDGE REQUESTED KELLY TO MAKE SAME AVAILABLE. KELLY AND USA SAYPOL OFFERED TO THE COURT A SEALED ENVELOPE CONTAINING TRANSCRIPT OF TELEPHONE MESSAGES. RYAN STATED HE WOULD READ SAME TO DETERMINE PERTINENCE. HOWEVER PALMER OBJECTED, STATING THAT IF JUDGE READ THESE HE HIMSELF WOULD BE COMMITTING A CRIME. JUDGE THEN STATED HE WOULD NOT READ THE TRANSCRIPT IN VIEW OF PALMER'S ALLEGATION. IN A LONG ORATION PALMER INDICATED THAT THE BUREAU TAPS WIRES ON CONGRESSMEN AND EVEN JUDGES AND WANTED TO KNOW IF THE AGENTS WHO ARE MENTIONED IN THE AFFIDAVITS SUBMITTED TO THE COURT ACTUALLY DID THE WIRE TAPPING. HE ALSO WANTED THE COURT TO INSTRUCT THE GOVT TO MAKE AVAILABLE FOR QUESTIONING ALL THOSE WHO HAVE TAKEN PART IN WIRE TAPPING IN WASHINGTON AND IN NY IN THIS CASE. HOWEVER JUDGE PAID NO HEED TO THIS LATTER REQUEST. DURING HIS ORATION PALMER ALSO QUESTIONED AS TO HOW FBI LEARNED OF UNLISTED PHONE NUMBER ON COPLON'S HOME IN BROOKLYN, ASKING IF IT HAD BEEN SUPPLIED BY TELEPHONE COMPANY BUT JUDGE PAID NO ATTN TO THESE REMARKS. JUDGE THEN ASKED PALMER WHAT WITNESSES HE WANTED TO QUESTION TOMORROW RE INTERCEPTED TELEPHONE COMMUNICATIONS AND PALMER NAMED FOLLOWING: HOWARD FLETCHER, AL^{U H}BELMONT, LEO LAUGHLIN, KEN^{NET} DELAVIGNE, CLIVE PALMER AND ROBT GRANVILLE. JUDGE THEN ASKED POMERANTZ WHICH WITNESSES HE WANTED ON HAND TOMORROW TO TESTIFY BUT POMERANTZ ADVISED HE HAD NOT SUFFICIENT TIME TO REVIEW THE AFFIDAVITS AND CONSEQUENTLY WOULD LEAN ON PALMER FOR SUCH WITNESSES. DURING COURSE OF HIS ORATIONS PALMER ALSO ASKED THAT THE AUTHORIZATIONS OF THE ATTY GEN FOR SUCH WIRE TAPS BE

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

PAGE THREE

MADE AVAILABLE. HOWEVER JUDGE STATED SUCH AUTHORIZATIONS WERE NOT PERTINENT AND HE WAS NOT CONCERNED WITH THEM. RE THE SEALED ENVELOPE WITH THE TRANSCRIPTS, MR. SAYPOL ADVISED THE COURT THAT A WITNESS FROM WASHINGTON WOULD BE PRESENT TOMORROW TO ANSWER QUESTIONS CONCERNING SAME. NEITHER COPLON NOR GUBITCHEV IN COURT.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

Federal Bureau of Investigation
United States Department of Justice
New York, New York

December 12, 1949

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVITS
MR. MESSAULT
MR. ROSEN
MR. TRACY
MR. HARBO
MR. GANDY
MR. NEASE
MR. WATSON
MR. WOOD
MR. CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

At 11:35 am today, I advised Mr. H. B. Fletcher of the Bureau that at the hearing before Judge Ryan this morning in the COPLON-GUBITCHEV case, PALMER brought up his motion to suppress evidence based on the telephone taps. Mr. Kelly filed the various affidavits which had been prepared by the Bureau employees and the judge granted until tomorrow morning (12/13/49) for PALMER and POMERANTZ to read the affidavits. Mr. Kelly then submitted a sealed envelope containing transcripts of telephone conversations to the judge and stated that a witness from Washington would appear tomorrow morning to testify regarding the contents of the sealed envelope.

Mr. Fletcher was advised that POMERANTZ then made a motion based on the illegality of the arrest which was postponed until tomorrow. Judge Ryan instructed the government to prepare an affidavit as to what papers were taken from GUBITCHEV; what papers were returned and why the remaining papers still in the possession of the government should be retained by the government. POMERANTZ then brought up his motion to sever, which motion was denied by Judge Ryan. The judge, however, advised the attorneys for both the prosecution and defense that no mention should be made of the previous trial in Washington during the forthcoming trial. There was some discussion as to whether the transcript of the previous trial could be used to refresh a witness' memory or to impeach him, but no decision was reached on this point. I advised Mr. Fletcher that court had recessed and that the final motion on the first count of the indictment as it pertains to GUBITCHEV will come up in a few minutes.

Regarding the question of the sealed envelope, I advised Mr. Fletcher that, as soon as the hearings are completed, we will contact Mr. Whearty and Mr. Kelly to find out more definite information concerning it.

Mr. Fletcher inquired whether copies of the corrected pages of the affidavits had been made for him. I advised him that they had and he stated he would pick them up tomorrow.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-690	
F. B. I.	
DEC 12 1949	
N. Y. C.	
ROUTED TO T. J. Miller	FILE Tom

New York, New York

December 12, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

At 4:10 pm today, I called Mr. H. B. Fletcher of the Bureau to advise him of the results of the pre-trial hearing before Judge Ryan today in instant matter. Regarding the four motions filed by Attorney POMERANTZ, the judge ruled as follows:

Motion #1 - Reargument on Judge Rifkind's decision on diplomatic immunity; denied by Judge Ryan. POMERANTZ asked if he could apply to the Circuit Court for a writ of mandamus or prohibition. The judge granted his request and gave him until Wednesday morning.

Motion #2 - Motion on severance. The judge denied this motion and gave instructions to the defense and prosecuting attorneys that no mention was to be made of COPLON's conviction in Washington. He did not preclude, however, the use of the transcript of the Washington trial to refresh the memory of a witness or to impeach the witness.

Motion #3 - Motion to suppress papers taken from GUBITCHEV and to suppress evidence and to return the papers to him. The judge instructed the government to submit an affidavit tomorrow morning to explain what papers had been taken from GUBITCHEV, what had been retained and why we should keep the papers now in the possession of the government.

Motion #4 - Insufficiency of first count in indictment. POMERANTZ made two claims: 1) that this count alleges two distinct crimes, and 2) that there was an insufficiency of law. In other words, the overt act as alleged by the meeting of the two subjects could not be construed as an overt act; therefore, there was insufficiency of law. The judge dismissed his second claim on the insufficiency of law but on the first claim stated that there was a question in his mind as to whether POMERANTZ' claim did not have merit and stated he wanted to hear further from the government and desired the government to give him cases. The judge gave Mr. Whearty a little more time to work on this and Mr. Whearty will reargue it before the judge. I advised Mr. Fletcher that it is our opinion that Mr. Whearty will lose on this point unless he can cite some cases.

Regarding ARCHIBALD PALMER's motion on the intercepted telephone communications, I advised Mr. Fletcher that it started by PALMER asking whether the messages from the intercepted telephone communications had been

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MEMO

NY 65-14932

December 12, 1949

brought in by the government. The judge then asked Mr. Kelly whether they were available and Mr. Kelly said they were. On the judge's instructions, Mr. Kelly went out and returned with Mr. Saypol with the sealed envelope containing the transcript of these messages. The judge stated he would read them to see whether they were innocuous as far as the evidence was concerned. However, PALMER objected stating that the judge would be violating the law the same as the FBI had in getting the messages. The judge then decided that he would not read them. Attorney POMERANTZ stated he had no objection to the judge reading the transcripts. The judge gave the sealed envelope to the Clerk of the Court and it is now in the latter's possession. Mr. Fletcher was advised that Mr. Saypol made a statement to the judge that a witness would be available from Washington tomorrow morning relative to these messages.

I informed Mr. Fletcher that PALMER then went into a lengthy discourse to the effect that the affidavits were evasive; that they did not answer the questions he had brought up in his motion; that they did not tell him whether his telephone had been tapped; they did not tell him how the FBI was able to get COPLON's unlisted telephone. PALMER wondered whether the Telephone Company was cooperating with the FBI in this respect and then went into a long speech to the effect that the FBI tapped the telephones of senators, judges and everyone else. I advised Mr. Fletcher that the judge did not seem to pay any attention to PALMER.

I further advised Mr. Fletcher that, in answer to the judge's inquiry as to whom he wanted to testify, PALMER said that he wanted Mr. Fletcher, Mr. Belmont, Mr. Leo Laughlin, Mr. Ken Delavigne, Mr. Clive Palmer and Mr. Granville. PALMER also stated he wanted every person who actually tapped the wires in New York and in Washington in this case to testify. On this latter point, the judge brushed him off. The judge asked Mr. Kelly whether the named persons could be available tomorrow and Kelly said he thought they could although he would have to check on Clive Palmer. I advised Mr. Fletcher that as far as ^{he} know at the present time, the above named persons will have to be available to testify tomorrow morning. PALMER also stated that in Mr. Fletcher's affidavit mention was made that the Attorney General had authorized the telephone taps and he requested to see the authority. Judge Ryan said he was not interested in that and that it did not have any bearing on the issue.

The judge then asked POMERANTZ whom he wanted to testify. POMERANTZ stated he did not have an opportunity to study the affidavits and consequently he would go along with PALMER.

MEMO

NY 65-14932

December 12, 1949

I advised Mr. Fletcher that I was going to speak to Mr. Kelly and Mr. Whearty immediately to ascertain whether the witnesses requested by PALMER should be present in New York tomorrow morning to testify and that I would call him back and advise him of the decision reached in this matter.

As an indication of the way Judge Ryan is thinking, I advised Mr. Fletcher that the judge has indicated that the point to be kept in mind is to find out whether any of the evidence in this case came from illegal telephone taps. This, of course, is now what PALMER has in mind, but if he is restricted to this line we are of the opinion that the results of the hearings will be in the favor of the government.

A. H. BELMONT
ASAC

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

December 12, 1949

MR. SCHEIDT	
MR. BELMONT	
MR. WHELAN	
MR. COLLIER	
MR. GRANVILLE	
MR. HENRICH	
MR. LADD	
MR. NICHOLS	
MR. ROSEN	
MR. TRACY	
MR. Egan	
MR. Gurnea	
MR. Harbo	
MR. Hendon	
MR. Jones	
MR. Quinn	
MR. Nease	
MR. Gandy	
Miss Gandy	
PROPERTY CLERK	
TRAINING UNIT	

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

At 5:50 pm on December 9, Mr. H. B. Fletcher of the Bureau called to advise that the affidavits to be executed by Bureau personnel in connection with the pre-trial hearing before Judge Ryan had been prepared and would be sent to the New York office the night of December 9. Therefore, we should have all those personnel available at 9:00 am on December 10 for the purpose of going over and signing these affidavits. He advised that the agents should be satisfied as to the accuracy of the affidavits before they sign them. He further advised that USA Saypol will make a notary public available.

As a consequence, the Bureau personnel concerned, with the exception of Miss Manos who was ill, reported to the office and for several hours went over the affidavits in question. There were several changes made which were telephonically discussed with Mr. Fletcher at the Bureau and at his instructions the appropriate changes were made. After the changes had been effected, the affidavits were signed and notarized before a notary provided by Mr. Saypol. SA Brewer Wilson then took the notary to the home of Miss Manos where her affidavit was likewise signed and sworn to before the notary.

The affidavits in question were delivered to Mr. Kelly by SA T. S. Miller on the morning of December 12 with the appropriate 6 carbon copies. One set of the corrected pages is being retained for Mr. Fletcher upon his arrival at the New York office on the morning of December 13.

On the morning of December 12, Mr. Fletcher advised that the following Bureau personnel should be made available for the hearing this morning: SA Mendenhall, WFO (who is coming up from Washington); Supervisor Granville; SA T. S. Miller, and SA R. E. Brennan.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-692

F. B. I.
DEC 12 1949
N. Y. C.
ROUTED TO <i>T. S. Miller</i> FILE <i>TCM</i>

Director, FBI

December 13, 1949

SAC, New York

JF
JUDITH COPLON
ESPIONAGE - R

The following copies of affidavits are being forwarded to you by
Mr. H. B. Fletcher:

1. Corrected copies of affidavits previously submitted to the Bureau.
 - a. Thomas J. McAndrews
 - b. Daniel F. Garde
 - c. T. Scott Miller, Jr.
 - d. Robert R. Granville
 - e. Alan H. Belmont
 - f. Robert J. Wirth
 - g. Sappho Manos
2. Copy of affidavit of Robert J. Lamphere.
3. Copy of affidavits of the following Departmental employees:
 - a. John M. Kelley and Raymond P. Whearty.
 - b. Nathan H. Franke.
 - c. Ruth M. Rosson.
 - d. William E. Foley.
 - e. Clive W. Palmer.
4. Affidavit of Special Agent Robert J. Wirth relative to what property of GUBITCHEV the FBI now has in its possession.

encs.

cc - NY 65-14939 (Gubitchev)

EM:CTC
-14932

Material taken by Mr. H. B. Fletcher of the Bureau personally.

*original taken by
H.B. Fletcher
12-14-49 JF*

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FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK
DECEMBER 13 1965

MR. SCHEIDT	
MR. BELMONT	
MR. WHELAN	
MR. COLLIER	
MR. GRANVILLE	
MR. HUGHES	
MR. KENNEDY	
MR. 949 VIS	
MR. MARCHESSAULT	
MR. RAGAN	
NIGHT SUPERVISOR	
MR. KING	
URGENT	
MR. WALSH	
MR. WOHL	
CHIEF CLERK	
PROPERTY CLERK	
TRAINING UNIT	

Transmit the following Teletype message to: BUREAU.

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESPIONAGE - R. AT TWO PM COURT RECONVENED WITH MR. FLETCHER ON STAND. PALMER, REFERRING TO THE AFFIDAVIT ASKED MR. FLETCHER HOW THE FBI OBTAINED THE UNLISTED NUMBER ON COPLON'S PHONE IN BROOKLYN. OBJECTION SUSTAINED. PALMER ASKED IF ANY OF THE INTERCEPTED PHONE MESSAGES IN NY OR WASHINGTON WERE DESTROYED. MR. FLETCHER SAID YES, POINTING OUT THAT IT IS LEFT TO DISCRETION OF AGENT HANDLING CASE AS TO WHICH TELEPHONE INTERCEPTS ARE TO BE MAINTAINED AND WHICH DESTROYED, DEPENDING ON THEIR PERTINENCE. PALMER ASKED IF THE PUBLIC TELEPHONE IN THE LADIES' ROOM AT PENNSYLVANIA STATION OR IF THE TELEPHONE OF GUBITCHEV AT UN WAS TAPPED. MR. FLETCHER ANSWERED NO. POMERANTZ THEN BEGAN QUESTIONING MR. FLETCHER ASKING WHEN THE TAP WAS FIRST PLACED ON GUBITCHEV'S HOME AND WHEN IT WAS REMOVED. ALSO, HOW MANY HOURS PER DAY WAS IT MAINTAINED. WHEN MR. FLETCHER GAVE AN APPROXIMATION AS TO THE DATE INSTALLED AND THE DATE REMOVED, POMERANTZ REQUESTED MR. FLETCHER TO REVIEW FBI RECORDS AND MAKE EXACT DATES AVAILABLE. POMERANTZ ASKED IF ANY OTHER PHONE USED BY GUBITCHEV OTHER THAN HIS HOME PHONE WAS TAPPED. MR. FLETCHER ANSWERED NO. CONCERNING EXHIBIT ONE, WHICH IS SEALED ENVELOPE CONTAINING SUMMARIES OF CONVERSATIONS OVER COPLON'S PHONE, JUDGE MADE NO DISPOSITION OF SAME SINCE PALMER HAD DECLINED TO ALLOW JUDGE RYAN TO REVIEW SAME. EXHIBIT TWO IS THE ENVELOPE CONTAINING INFO OBTAINED FROM MICROPHONE SURVEILLANCE AT WASHINGTON. JUDGE DECLARED THAT HE WILL REVIEW THE SUMMARIES CONTAINED IN

ERT:CTC
65-14932

65-14939 (Gubitchev)
Approved: _____

Special Agent in Charge

Sent

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Per

OK

65-14932-6948

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

12/13/49

Transmit the following Teletype message to:

EXHIBIT TWO AND ASKED IF GOVERNMENT OBJECTED TO PALMER REVIEWING SAME. GOVERNMENT DID OBJECT AND JUDGE DECLARED HE WILL REVIEW THEM AND DETERMINE IF PALMER WILL BE PERMITTED TO SEE THEM. EXHIBIT THREE IS ENVELOPE CONTAINING INFO CONCERNING TAP ON GUBITCHEV'S PHONE. JUDGE REVIEWED THIS INFO AND THEN GAVE EXHIBIT THREE TO POMERANTZ. PALMER THEN ASKED PERMISSION TO REVIEW EXHIBIT THREE ALSO BUT JUDGE INSTRUCTED THAT IT WAS UP TO POMERANTZ TO GIVE PALMER PERMISSION TO REVIEW EXHIBIT THREE. PALMER THEN REQUESTED THAT ALL INFO OBTAINED FROM TAPS AND MICROPHONE SURVEILLANCE ON COPLON BE TURNED OVER TO HIM. JUDGE RESERVED DECISION ON THIS. POMERANTZ THEN RESUMED QUESTIONING MR. FLETCHER ASKING IF ALL RECORDINGS OF GUBITCHEV'S CONVERSATIONS WERE MAINTAINED. MR. FLETCHER ANSWERED NO. POMERANTZ ASKED IF WRITTEN RECORDS OF ALL GUBITCHEV'S CONVERSATIONS WERE MAINTAINED. MR. FLETCHER ANSWERED NO, DECLARING THAT IT DEPENDED ON INDIVIDUAL AGENT HANDLING CASE TO DETERMINE WHICH WRITTEN RECORDS WERE TO BE MAINTAINED. POMERANTZ ASKED WHY RECORDINGS OF GUBITCHEV'S CONVERSATIONS WERE DESTROYED AFTER HIS ARREST AND INDICTMENT. MR. FLETCHER REPLIED THAT IT WAS CUSTOMARY IN ALL CASES TO DO SAME. POMERANTZ THEN ASKED MR. FLETCHER TO PRODUCE FBI RECORDS SHOWING NAMES OF AGENTS WHO MONITORED GUBITCHEV'S TELEPHONE. JUDGE INSTRUCTED MR. FLETCHER TO MAKE THESE RECORDS AVAILABLE FOR JUDGE'S PERUSAL. PALMER THEN ASKED THAT MR. FLETCHER PRODUCE NAMES OF AGENTS WHO MONITORED COPLON'S CONVERSATIONS. JUDGE SO ORDERED FOR HIS OWN PERUSAL. POMERANTZ THEN ASKED THAT MR. FLETCHER FURNISH OFFICIAL FBI RECORDS ON ALL TECHNICAL INSTALLATIONS MAINTAINED ON GUBITCHEV AFTER DECEMBER TWENTY FIFTH, FORTY EIGHT. PALMER REQUESTED

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 3 -

12/13/49

Transmit the following Teletype message to:
THAT SIMILAR RECORDS BE PRODUCED CONCERNING COPLON. JUDGE RYAN INSTRUCTED
THAT THIS BE DONE FOR HIS OWN INSPECTION AND DECISION. NEXT WITNESS WAS
A. H. BELMONT. PALMER ASKED MR. BELMONT IF HE HAD TALKED TO THE AGENTS WHO
HAD MONITORED COPLON'S PHONE. MR. BELMONT STATED THAT HE HAD BUT QUALIFIED
HIS ANSWER BY DECLARING THAT HE HAS TALKED TO PRACTICALLY ALL OF THE AGENTS
IN NY OFFICE AT DIFFERENT TIMES AND CONSEQUENTLY COULD NOT RECALL THE NAMES
OF AGENTS WHO HAD MONITORED COPLON'S PHONE. PALMER REQUESTED THAT MR.
BELMONT BE INSTRUCTED TO REFRESH HIS RECOLLECTION CONCERNING THE NAMES OF
THESE AGENTS WHO HAD MONITORED COPLON'S PHONE BUT JUDGE SAID HE WOULD NOT
SO INSTRUCT MR. BELMONT BECAUSE MR. BELMONT KNEW WHAT ACTION TO TAKE.
COURT THEN ADJOURNED UNTIL TEN THIRTY AM TOMORROW WHEN MR. BELMONT WILL
AGAIN TAKE THE STAND.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
DECEMBER 13, 1946

FD-36
MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WOHLE
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to:

BUREAU...URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP-R. RE MOTION ON INTERCEPTED TELEPHONE COMMUNICATIONS. FIRST WITNESS JOHN M. KELLY, SAAG, QUESTIONED AS TO KNOWLEDGE OF MIKE AND TECH SURVEILLANCES PRIOR TO PREPARATION OF AFFIDAVITS. ANSWER WAS NO KNOWLEDGE BY KELLY. PALMER THEN QUESTIONED WHEARTY AND THE SAME LINE OF QUESTIONING AND SAME RESPONSES WERE MADE. QUESTIONING OF BOTH KELLY AND WHEARTY WAS LONG AND INVOLVED BUT MAIN FEATURES WERE CONCERNED WITH THEIR KNOWLEDGE OF MIKE AND TECH INSTALLATIONS PRIOR TO PREPARATION OF AFFIDAVITS. JUDGE RYAN INDICATED THE ONLY ISSUE INVOLVED WAS WHAT PORTION OF CASE WAS DERIVED FROM INTERCEPTED TELEPHONE MESSAGES OR WAS ANY EVIDENCE QUOTE TAINTED UNQUOTE BY REASON OF INTERCEPTED TELEPHONE MESSAGES. IN RESPONSE TO PROMPTING BY JUDGE RYAN, KELLY EXPLAINED WHAT MAIL COVERS AND TRASH COVERS WERE AND HIS EXPLANATION WAS IN ACCORDANCE WITH ACCEPTED BUREAU DEFINITIONS. KELLY SPECIFICALLY POINTED OUT THAT MAIL COVERS HAVE TO DO ONLY WITH THE OUTSIDE OF ENVELOPES AND DO NOT ALLOW THE OPENING OF THE ENVELOPE OR THE READING OF MAIL. HOWARD FLETCHER, THIRD WITNESS, WAS QUESTIONED BY PALMER AS TO DATES AND DURATION OF INSTALLATIONS AND AS TO IDENTITY OF PERSONS WHO INSTALLED MIKE AND TECH SURVEILLANCES. TO LATTER QUESTION FLETCHER SAID HE DID NOT KNOW. PALMER'S QUESTIONS AS TO THE METHOD OF WIRE TAPPING AND INSTALLATION OF MIKES WAS INTERRUPTED BY RYAN AND THE JUDGE DECLARED THIS WAS NO INQUIRY INTO METHODS AND OPERATIONS OF FBI. JUDGE FREQUENTLY ASKED QUESTIONS AND REWORDED QUESTIONS ASKED BY PALMER AMONG WHICH THE JUDGE ASKED IF WIRE TAPS AND MIKE RESULTS WERE MONITORED ORALLY OR RECORDED. FLETCHER'S ANSWER WAS QUOTE PARTLY BOTH UNQUOTE. RYAN WANTED TO KNOW IF THE MESSAGES OBTAINED OVER THE MIKE ON COPLON HAD BEEN

65-14932 cc 65-14939

Approved: _____

ERT:IM

Special Agent in Charge

Sent _____

Per _____

65-14932-6958

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
NEW YORK, N. Y.

Transmit the following Teletype message to:

PAGE TWO

RETAINED. FLETCHER'S ANSWERED YES. JUDGE INSTRUCTED FLETCHER TO DIVIDE THE MATERIAL INTO THREE ENVELOPES, ONE ENVELOPE CONTAINING TELEPHONE INTERCEPTS RELATING TO COPLON, ONE ENVELOPE CONTAINING TELEPHONE INTERCEPTS RELATING TO GUBITCHEV AND ONE ENVELOPE CONTAINING RESULTS OF MIKE COVERAGE ON COPLON. REFERRING TO OURTEL DECEMBER TWELFTH IN THIS MATTER IN WHICH IT IS POINTED OUT THAT PALMER REFUSED TO ALLOW JUDGE TO READ TELEPHONE INTERCEPTS, IT WILL BE NOTED POMERANTZ ADVISED THE JUDGE IT WAS AGREEABLE WITH GUBITCHEV AND HIMSELF FOR THE JUDGE TO READ ALL TELEPHONE INTERCEPTS CONCERNING GUBITCHEV. POMERANTZ TOOK LITTLE OR NO PART IN QUESTIONING OF THREE WITNESSES THIS MORNING. HEARING IS TO BE CONTINUED AT TWO PM WITH FLETCHER STILL ON THE STAND.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

Federal Bureau of Investigation
United States Department of Justice
New York, New York

December 13, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

This morning, at the request of Inspector H. B. Fletcher, I called Assistant to the Director D. M. Ladd and in his temporary absence dictated a memorandum to his secretary, advising that the proceedings had started in instant matter and all witnesses had been barred from the court room; further, that PALMER is in an "arguing mood" and indications are that he intends to go as far as he can into the wire tapping angle. I also advised that we have two agents in the court room who are not witnesses and they will serve as observers, keeping us currently advised of any important developments as they occur. Such matters as are warranted will be immediately brought to the Bureau's attention.

A. J. TUOHY
Supervisor

cc - 65-14939 (Gubitchev)

AJT:CTC
65-14932

MR. SCHEIDT
MR. BELMONT
MR. WIGAN
MR. COLLIER
MR. CUNNINGHAM
MR. GARDNER
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WEAVER
MR. WHELAN
MR. WOOD
MR. ZIEGLER
PROPERTY CLERK
TRAINING UNIT

65-14932-696

F. B. I.	
DEC 13 1949	
N. Y. C.	
ROUTED TO	FILE

T S Miller *18m*

Federal Bureau of Investigation
United States Department of Justice
New York, New York

December 13, 1949

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. FURBER
MR. HENRY
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. Egan
MR. Gurnea
MR. Harbo
MR. Mohr
MR. Pennington
MR. Quinn
MR. Nease
MR. Gandy

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

At 3:05 pm today, at the request of Inspector H. B. Fletcher, I advised Mr. Ladd that Mr. Fletcher was still on the stand and that the court is reading the microphone coverage of COPLON and the technical coverage of GUBITCHEV; that all questions thus far are aimed at finding out why part of our records were retained and part destroyed. I also advised that Mr. Kelley and Mr. Whearty had not objected to the judge reading the results of our technical coverage on GUBITCHEV; further, that Mr. Fletcher indicated that the judge is holding PALMER in pretty good check although it is the opinion of Mr. Fletcher that a lot of witnesses will be utilized, particularly Agents Mendenhall and Miller since these agents read all the tech material and would have been the persons who destroyed those portions which had been destroyed.

A. J. TUOHY
Supervisor

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14939-697	
F. B. I.	
DEC 13 1949	
N. Y. C.	
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T. J. Miller	78m

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

December 13, 1949

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVY
MR. MEISSAULT
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WHELAN
MR. WYATT
MR. ZIEGLER
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

At 5:35 pm on December 12, I advised Mr. H. B. Fletcher of the Bureau that Mr. Whearty and Mr. Kelly are drawing up an affidavit relative to the seizure of the personal property of GUBITCHEV after his arrest. This will be merely a factual affidavit to the effect that after GUBITCHEV's arrest certain property, which will be listed, was seized from him. This will be signed by SA Robert Wirth. Whearty and Kelly then plan to make another affidavit to the effect that they have no objection to returning all of this property to GUBITCHEV with the exception of the diary and the \$125. The reasons for not returning these two items are that the diary may be used on cross-examination of GUBITCHEV if he takes the stand, and the \$125 is pertinent because it was in a separate envelope removed from the other money in his possession.

Mr. Fletcher advised it would be satisfactory for SA Wirth to sign the affidavit if it was factual and did not go beyond what is stated above.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-698

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DEC 13 1949	
N. Y. C.	
ROUTED TO T. S. Miller	FILE H. M.

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, NEW YORK
DECEMBER 14, 1949

Transmit the following Teletype message to: SAN JUAN VERY URGENT
ADVISE TODAY WHETHER SA CHARLES PECK MONITORED COPLON AND/OR GUBITCHEV
TECHNICAL SURVEILLANCES

b7E

SCHEIDT

AHB:CTC
65-14932

cc - 65-14939 (Gubitchev)

Enc - 8B

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCLESSELT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Approved: E. J. Connelley
Special Agent in Charge

Sent

959 a.m.

Per

LB

65-14932-699

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICENEW YORK, NEW-YORK
DECEMBER 14, 1949-----
Transmit the following Teletype message to: BUREAU*****URGENT

JUDITH COPLON; VALENTINE GUBITCHEV, ES-R. AT THE AFTERNOON SESSION BEFORE JUDGE RYAN, EVIDENCE WAS HEARD ON THE MOTION OF GUBITCHEV TO RETURN TO GUBITCHEV THE PROPERTY AND PAPERS TAKEN AT THE TIME OF ARREST AND FOR THE SUPPRESSION OF STATEMENTS MADE AT AND AFTER THE TIME OF ARREST. SA ROBERT R. GRANVILLE WAS ON THE WITNESS STAND FROM TWO PM TO FOUR THIRTY PM HAVING BEEN CALLED AS A WITNESS BY DEFENSE COUNSEL POMERANTZ. WITNESS WAS QUESTIONED AS TO HIS REASONS FOR BELIEVING THAT THE COPLON, GUBITCHEV MEETINGS HAD THE APPEARANCE OF ESPIONAGE MEETINGS INSTEAD OF CLANDESTINE MEETINGS OF A MARRIED MAN AND AN UNMARRIED WOMAN. POMERANTZ ATTEMPTED, WITHOUT SUCCESS, TO GET A CLEAR ANSWER TO THE QUESTION AS TO WHICH MODE OF TRANSPORTATION AN ESPIONAGE AGENT WOULD MOST LIKELY USE, AN AUTOMOBILE, TAXI OR SUBWAY. FURTHER QUESTIONING CONTINUED REGARDING THE LOG ENTRY OF THE SURVEILLANCE OF JANUARY FOURTEEN, NINETEEN FORTY NINE WHEREIN THERE WAS USED THE PHRASE "STRIKING AT". POMERANTZ ATTEMPTED TO ELICIT AN ADMISSION THAT THE ABOVE CARRIED AN IMPLICATION OF BELLICOSITY. THE WITNESS STATED THAT IN THE LIGHT OF INFORMATION SUPPLIED BY SURVEILLING AGENTS, IT WAS CLEAR TO HIM THAT NO SUCH IMPLICATION WAS PROPER AND THAT COPLON'S ACTION APPEARED TO BE FOR THE PURPOSE OF EMPHASIS AND CONVERSATION WITH GUBITCHEV. POMERANTZ QUESTIONED THE WITNESS REGARDING HIS KNOWLEDGE OF WIRE TAPS ON OR BEFORE MARCH FOUR FOR THE APPARENT PURPOSE OF TRYING TO SHOW THAT THE PRESENCE OF AGENTS AT ONE NINE THREE STREET AND BROADWAY ON MARCH FOUR WAS THE RESULT OF INFORMATION RECEIVED FROM WIRE TAPS. THE COURT LIMITED THE

CC: NY 65-14939

JMO:RAS

65-14932

Approved: *EJ*

Special Agent in Charge

Sent *949*Per *gm*65-14932-700 *8*

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

Transmit the following Teletype message to:

QUESTION TO THIS POINT AS TO WHETHER THE WITNESS HAD EVER HEARD OF WIRE TAPS ON GUBITCHEV AND WHAT HE HAD HEARD. THE WITNESS ANSWERED THAT HE HAD HEARD OF THE EXISTENCE OF WIRE TAPS ON GUBITCHEV'S HOME FROM ASAC BELMONT BUT ^{DID} NOT ~~RECALL~~ ^{HEARING ANY} ~~HEARD~~ ^{RECALL} ~~ON THE~~ RESULTS THERE FROM AND ASSUMED THEREFORE THAT NOTHING OF VALUE HAD BEEN OBTAINED. FURTHER QUESTIONING WAS CARRIED ON REGARDING THE NECESSITY FOR THE ARREST ON MARCH FOUR AT FIFTEENTH STREET AND THIRD AVENUE. THE WITNESS ANSWERED THAT IT APPEARED NECESSARY AT THE TIME BECAUSE OF THE POSSIBILITY OF COPLON AND GUBITCHEV ~~ELUDING~~ A SURVEILLANCE WHICH POSSIBILITY WAS INCREASED WHEN IT WAS TAKEN INTO CONSIDERATION THE EARLIER CONDUCT OF GUBITCHEV AND COPLON ON THAT AND OTHER EVENINGS. FURTHER QUESTIONING AS TO WHETHER THE BUREAU HAD A DOSSIER ON GUBITCHEV PRIOR TO MARCH FOUR. WITNESS STATED HE WAS UNABLE TO RECALL OF SUCH. HEREAFTER, POMERANTZ QUESTIONED CONCERNING THE INTERROGATION OF GUBITCHEV AT THE NY OFFICE AFTER HIS ARREST. POMERANTZ INQUIRED AS TO THE OPINION OF THE WITNESS REGARDING THE ABILITY OF GUBITCHEV TO UNDERSTAND AND SPEAK ENGLISH. [WITNESS ANSWERED IT APPEARED TO HIM THAT GUBITCHEV SPOKE AND UNDERSTOOD ENGLISH VERY WELL. WITNESS WAS QUESTIONED AS TO WHETHER HE HAD HEARD OF GUBITCHEV INTERROGATED REGARDING CONDITIONS IN RUSSIA.] WITNESS ANSWERED /THAT HE HAD BEEN IN AND OUT OF THE ROOM WHERE GUBITCHEV WAS BEING INTERROGATED AND HAD NOT HEARD ANY SUCH LINE OF QUESTIONING. /POMERANTZ WAS IN FREQUENT CONFERENCE DURING THIS AFTERNOON'S SESSION WITH SOVIET REPRESENTATIVE YURI NOVIKOFF WHO SAT AT THE DEFENSE COUNSEL'S TABLE. JUDGE RYAN APPEARED TO CONFINE POMERANTZ IN THE QUESTIONING AND ^{ON OCCASION} ~~THE~~ JUDGE HIMSELF ASKED

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
- 3 -

NY 65-14932

Transmit the following Teletype message to:

LEADING QUESTIONS OF THE WITNESS WHICH ASSISTED IN CLARIFYING THE WITNESS' POSITION IN RESPECT TO QUESTIONS ASKED. JUDGE RYAN ON SEVERAL OCCASIONS ADMINISHED POMERANTZ FOR IMPROPER QUESTIONS AND ON ONE OCCASION FOR WHAT THE JUDGE REFERRED TO AS HIS SARCASTIC ATTITUDE. THE CHARACTER OF THE QUESTIONS INDICATED THAT POMERANTZ PROBABLY INTENDS TO UTILIZE AT LEAST AS A PARTIAL DEFENSE A ROMANTIC OR LOVE RELATIONSHIP BETWEEN GUBITCHEV AND COPLON. COURT ADJOURNED AT FOUR THIRTY PM TO TEN THIRTY AM TOMORROW.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK

DECEMBER 14 1949

MR. SCHEIDT
MR. BELMONT
MR. ~~NEWMAN~~
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
URGENT
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. CIRCUIT COURT OF THIS DATE UNANIMOUSLY DENIED ATTORNEY POMERANTZ' PETITION FOR WRIT OF PROHIBITION TO PREVENT JUDGE RYAN HEARING GUBITCHEV'S MOTION ON DIPLOMATIC IMMUNITY. MORNING SESSION BEFORE JUDGE RYAN STARTED AT ELEVEN AM. SAAG KELLY MADE APPLICATION TO COURT THAT FURTHER HEARINGS ON WIRE TAPPING ISSUE BE DEFERRED UNTIL MONDAY NEXT IN ORDER THAT GOVERNMENT MIGHT HAVE TIME FOR CONSULTATION AND CONSIDERATION AS TO JUDGE'S INSTRUCTIONS OF YESTERDAY RE INFORMATION TO BE PRODUCED IN COURT. OVER OBJECTIONS OF PALMER, JUDGE RYAN DEFERRED WIRE TAPPING HEARINGS UNTIL FRIDAY NEXT. JUDGE RYAN, OVER OBJECTION OF GOVERNMENT COUNSEL, TURNED OVER TO ATTORNEY PALMER GOVERNMENT EXHIBIT NO. TWO, WHICH IS RESULTS OF MICROPHONE SURVEILLANCE IN COPLON'S OFFICE IN DJ BUILDING, WASHINGTON. JUDGE INSTRUCTED PALMER THAT THEY WERE NOT TO BE TAKEN FROM COURT ROOM OR DIVULGED TO ANYONE AND THAT PALMER'S INSPECTION WAS TO BE IN THE COURT ROOM. PALMER REQUESTED THE COURT INSTRUCT THAT ALL BUREAU PERSONNEL HAVING ANYTHING TO DO WITH WIRE TAPPING OR MONITORING BE IN BUILDING ON FRIDAY NEXT. JUDGE DECLINED TO SO INSTRUCT. POMERANTZ REQUESTED THAT HE BE PERMITTED AT THIS SESSION TO FINISH WITH GOVERNMENT WITNESSES FLETCHER AND BELMONT. COURT DENIED POMERANTZ' REQUEST. COURT ADJOURNED UNTIL TWO PM THIS DATE AT WHICH TIME HEARINGS WILL BEGIN ON POMERANTZ' MOTION TO SUPPRESS EVIDENCE OBTAINED FROM GUBITCHEV. ON MOTION OF POMERANTZ COURT RULED THAT ALL EVIDENCE IN PALMER'S EARLIER MOTION TO SUPPRESS EVIDENCE OBTAINED BY GOVERNMENT WOULD BE MADE PART OF RECORD OF

JMO:M:CTC
65-14932

cc - 65-14939 (Gubitchev)
Approved: *High*
Special Agent in Charge

Sent *10:18* M Per *JD*
65-14932-761

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

12/14/49

Transmit the following Teletype message to:

POMERANTZ' PENDING MOTION. COURT VACATED EARLIER ORDER WHICH SUPPLIED TO GUBITCHEV AT EXPENSE OF GOVERNMENT TRANSCRIPT OF PROCEEDINGS. HOWEVER, COURT INDICATED IT WOULD CONSIDER AFFIDAVIT OF POVERTY FROM GUBITCHEV SO THAT HE COULD RECEIVE TRANSCRIPTS FROM GOVERNMENT FROM THIS POINT ON.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

December 15, 1949.

Memorandum.

Re. Judith Coplon
Espionage - R

At approximately 2:10 pm on December 14, 1949, the writer was proceeding from the ground floor to the 29th floor on one of the U.S. Court House elevators. A man and woman entered the elevator at the first floor, at which time the man was talking about architects. They stood directly in front of the writer and the man was overheard to mention the name of KORCHIEN several times while conversing with the woman. He said he ^(PALMER) was going to Florida and she apparently asked him whether he was going to make a vacation trip of it. He replied that he was only going for a day because the people he represents can't afford more than a day.

The man and woman got off the elevator about the 15th floor, at which time the writer recognized them as being Judith Coplon and her attorney, Archie PALMER.

It is noted that Palmer may have been talking about JULES KORCHIEN, a prominent figure in the Gregory case, inasmuch as he is an architect.

Walter C. Roetting Jr., S.A.

65-14932-702

1949

T S Miller

W 4 file 65-14932

FEDERAL BUREAU OF INVESTIGATION New York, N.Y.
 UNITED STATES DEPARTMENT OF JUSTICE December 15, 1949

Transmit the following Teletype message to: DETROIT - URGENT

JUDITH COPLON; VALENTIN A. GUBITCHEV. ESP. - R. INSTRUCT SA JAMES LYNCH
 TO PROCEED TO NY IMMEDIATELY. FAST TRAIN SERVICE WILL SUFFICE.

SCHEIDT

RRG:MCF

~~65-14920~~

65-14932

☒ MR. SCHEIDT
☒ MR. BELMONT
 ...MR. WILLAN
 ...MR. COLLIER
 ...MR. GRANVILLE
 ...MR. HUGHES
 ...MR. KENNEDY
 ...MR. LEEVE
 ...MR. MACQUESSAULT
 ...MR. RACAN
 ...NIGHT SUPERVISOR
 ...MR. KING
 ...MR. TROPHY
 ...MR. WALSH
 ...MR. WOLL
 ...CHIEF CLERK
 ...PROPERTY CLERK
 ...TRAINING UNIT

proved: _____

Special Agent in Charge

Sent _____

M

Per _____

703

FEDERAL BUREAU OF INVESTIGATION

New York, N.Y.

December 15, 1949

UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to: SAN FRANCISCO - URGENT

JUDITH COPLON; VALENTIN A. GUBITCHEV. ESP. - R. INSTRUCT SA JOHN P.
O'SHAUGHNESSY TO PROCEED TO NEW YORK IMMEDIATELY. FAST TRAIN SERVICE
WILL SUFFICE.

SCHEIDT

RRG:MCF
65-14932

<input checked="" type="checkbox"/>	MR. SCHEIDT
<input checked="" type="checkbox"/>	MR. BELMONT
<input checked="" type="checkbox"/>	MR. WHELAN
<input checked="" type="checkbox"/>	MR. COLLIER
<input checked="" type="checkbox"/>	MR. GRANVILLE
<input checked="" type="checkbox"/>	MR. HUGHES
<input checked="" type="checkbox"/>	MR. KENNEDY
<input checked="" type="checkbox"/>	MR. LEVITS
<input checked="" type="checkbox"/>	MR. MARCHESSAULT
<input checked="" type="checkbox"/>	MR. RABIN
<input checked="" type="checkbox"/>	NIGHT SUPERVISOR
<input checked="" type="checkbox"/>	MR. KINY
<input checked="" type="checkbox"/>	MR. TOLLY
<input checked="" type="checkbox"/>	MR. VAUGHN
<input checked="" type="checkbox"/>	MR. WELLS
<input checked="" type="checkbox"/>	CHIEF CLERK
<input checked="" type="checkbox"/>	PROPERTY CLERK
<input checked="" type="checkbox"/>	TRAINING UNIT

Approved: _____

Special Agent in Charge

Sent

445/P

Per

RAT

65-14932-704

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

New York, N.Y.
December 15, 1949

Transmit the following Teletype message to:

EL PASO - URGENT

JUDITH COPLON; VALENTIN A. GUBITCHEV. ESPIONAGE - R. INSTRUCT SA VINCENT
ASCHERL TO PROCEED TO NEW YORK IMMEDIATELY. FAST TRAIN SERVICE WILL SUFFICE.

SCHEIDT

RRG:MCF
65-14932

<input checked="" type="checkbox"/>	MR. SCHEIDT
<input checked="" type="checkbox"/>	MR. BELMONT
<input type="checkbox"/>	MR. WHELAN
<input type="checkbox"/>	MR. COLLIER
<input type="checkbox"/>	MR. GRANVILLE
<input type="checkbox"/>	MR. HUGHES
<input type="checkbox"/>	MR. KENNEDY
<input type="checkbox"/>	MR. LEVVIS
<input type="checkbox"/>	MR. MARCHESSAULT
<input type="checkbox"/>	MR. RAGAN
<input type="checkbox"/>	NIGHT SUPERVISOR
<input type="checkbox"/>	MR. KING
<input type="checkbox"/>	MR. TUOHY
<input type="checkbox"/>	MR. WALSH
<input type="checkbox"/>	MR. WOEL
<input type="checkbox"/>	CHIEF CLERK
<input type="checkbox"/>	PROPERTY CLERK
<input type="checkbox"/>	TRAINING UNIT

Approved: _____

Special Agent in Charge

Sent _____

447 P M

Per _____

83 am

65-14932-705

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

New York, N.Y.
December 15, 1949

Transmit the following Teletype message to: SAN JUAN - URGENT

JUDITH COPLON; VALENTIN A. GUBITCHEV. ESPIONAGE - R. INSTRUCT SA CHARLES BECK
TO PROCEED TO NEW YORK IMMEDIATELY.

ENC. 124
dpr

SCHEIDT

RRG:MCF
65-14932

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUCHEY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

REOY
cm

65-14932-706

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
DECEMBER 15, 1949

*Call Bureau
12/16 m. det. int. affidavit.*

Transmit the following Teletype message to: BUREAU.....URGENT

JUDITH COPLON, VALENTINE GUBITCHEV, ESPIONAGE - R. AT THE START OF THE MORNING SESSION THIS DATE BEFORE JUDGE RYAN, DEFENSE ATTORNEY PALMER MADE A MOTION TO THE COURT THAT THE COURT SUBPOENA DOCTOR EDWARD U. CONDON OF WASHINGTON TO APPEAR HERE IN NEW YORK NEXT WEEK SO THAT TESTIMONY MAY BE TAKEN FROM HIM PRIOR TO HIS DEPARTURE FROM THE UNITED STATES FOR INDIA AT THE END OF DECEMBER. PALMER INDICATED THAT HE DESIRED CONDON'S TESTIMONY RE THE FACT THAT GEOPHONES WERE NOT ON THE LIST AS RESTRICTED OR CONFIDENTIAL, BUT IN FACT WERE THE SUBJECT MATTER OF COMMERCIAL ADVERTISEMENTS. PALMER INDICATED THAT HE WANTED TO QUESTION CONDON, WHOM IN HIS OPINION WAS AN EXPERT ON WIRE TAPPING BECAUSE, ACCORDING TO PALMER, CONDON'S HOME HAD BEEN MICROPHONED AND HIS TELEPHONES TAPPED. THE COURT APPEARED TO QUESTION THE SERIOUSNESS OF PALMER'S MOTION, BUT NEVERTHELESS MADE THE MOTION RETURNABLE ON TOMORROW, AT WHICH TIME HE WILL HEAR ARGUMENTS THEREON. IN CONNECTION WITH ^{MOTION OF} DEFENSE ATTORNEY ^{POMERANTZ} ~~PALMER~~ ^{TO SUPPRESS} EVIDENCE AND STATEMENTS, FIRST WITNESS CALLED ^{POMERANTZ} WAS SPECIAL AGENT ROGER W. ROBINSON. ROBINSON WAS QUESTIONED BY ~~PALMER~~ IN MINUTE DETAIL REGARDING THE BRIEF MEETING OF COPLON AND GUBITCHEV ^{EIGHTEEN} ON FEBRUARY ~~18~~, NINETEEN FORTY NINE AT BROADWAY AND ONE HUNDRED NINETY THIRD STREET. QUESTIONING OF AGENT ROBINSON CONTINUED ON THIS POINT ALONE FOR ONE AND A HALF HOURS. NEXT WITNESS WAS SPECIAL AGENT T. SCOTT MILLER, WHO WAS QUESTIONED FOR THE

CC: 65-14939

JMO:M:JT
65-14932

Approved: _____

Special Agent in Charge

Sent

5:27 PM

Per

65-14932-709

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

PAGE TWO

Transmit the following Teletype message to:

REMAINDER OF THE MORNING SESSION ON THE SAME INCIDENT OF FEBRUARY ~~FEBRUARY~~ *Eighteen*
NINETEEN FORTY NINE. *Pomerantz* ~~INDICATED~~ INDICATED THAT HE DESIRES AT THE AFTERNOON
SESSION TO QUESTION SPECIAL AGENT MILLER FURTHER IN THIS REGARD AND WILL
THEREAFTER QUESTION AGENTS GARDE AND BRENNAN. COURT ADJOURNED UNTIL
TWO P.M. THIS DATE.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION New York, N.Y.
December 15, 1949
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to: BUREAU - URGENT

JUDITH COPLON, VALENTIN A. GUBITCHEV. ESP-R. AT START OF AFTERNOON SESSION JUDGE RYAN RULED AS FOLLOWS: TOMORROW AT TEN FORTY FIVE HE WILL HEAR ARGUMENTS ON PALMER'S MOTION REQUESTING THE JUDGE TO SUBPOENA DR. /EDWIN U. CONDON. THE JUDGE FURTHER RULED THAT THERE WOULD BE AN ADJOURNMENT AFTER THAT HEARING UNTIL TUESDAY MORNING AT WHICH TIME HE WILL HEAR DEFENSE ATTORNEY POMERANTZ' MOTION ON DIPLOMATIC IMMUNITY. THEREAFTER HE WILL RESUME HEARING EVIDENCE ON THE WIRE TAPPING/ISSUE. /FOLLOWING THE JUDGE'S RULINGS DEFENSE ATTORNEY POMERANTZ CONTINUED QUESTIONING SA MILLER REGARDING THE COPLON - GUBITCHEV MEETING OF FEBRUARY EIGHTEEN LAST. /NEXT WITNESS WAS SA DANIEL F. GARDE WHO WAS QUESTIONED CONCERNING HIS INTERPRETATION OF THE LOG ENTRIES OF THE SURVEILLANCE ON JANUARY FOURTEEN LAST WHEREIN THERE WAS USED THE PHRASE "STRIKING AT". GARDE STATED IT WAS MEANT TO SHOW THAT COPLON WAS EARNESTLY EMPHASIZING A POINT IN HER CONVERSATION WITH GUBITCHEV. NEXT WITNESS WAS SA RICHARD E. BRENNAN WHO WAS QUESTIONED REGARDING THE SAME ENTRIES ON THE LOG OF JANUARY FOURTEEN SURVEILLANCE. BRENNAN WAS THEN QUESTIONED REGARDING THE SURVEILLANCE OF JANUARY FIFTEEN WHEN GUBITCHEV WAS OBSERVED AT THE HEADQUARTERS OF THE SOVIET /DELEGATION TO THE UN AT SIX 2 EIGHTY PARK AVENUE, NYC. POMERANTZ ASKED FOR THE LOG OF THAT SURVEILLANCE BUT THE COURT DENIED HIS REQUEST. POMERANTZ THEN RECALLED SA MILLER AND

cc - 65-14939

JMO:M:MCF
65-14932

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

65-14932-708

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
PAGE TWO

Transmit the following Teletype message to:

TRIED TO ELICIT INFORMATION AS TO WHY AGENTS WERE SENT ON JANUARY FIFTEEN TO THE HEADQUARTERS OF THE SOVIET DELEGATION TO IDENTIFY GUBITCHEV. QUESTIONS ALONG THAT LINE WERE EXCLUDED BY THE COURT. THEREAFTER THE COURT EXCLUDED A QUESTION AS TO HOW GUBITCHEV WAS IDENTIFIED. POMERANTZ ASKED FOR THE GUBITCHEV SURVEILLANCE LOG OF FEBRUARY NINETEEN. HIS REQUEST WAS DENIED BY THE COURT. THE NEXT WITNESS WAS SA ROBERT O. WIRTH WHO WAS QUESTIONED REGARDING THE INTERROGATION OF AND STATEMENTS MADE BY GUBITCHEV AFTER HIS ARREST AND AS TO WHETHER GUBITCHEV HAD BEEN ADVISED OF HIS RIGHTS. THE WITNESS ANSWERED THAT PRIOR TO HIS INTERROGATION GUBITCHEV WAS ADVISED THAT HE DID NOT HAVE TO MAKE ANY STATEMENT, THAT HE COULD HAVE A LAWYER AND THAT ALL STATEMENTS MADE BY HIM COULD BE USED AGAINST HIM IN COURT. THE WITNESS WAS QUESTIONED AS TO WHETHER GUBITCHEV REQUESTED PERMISSION TO TELEPHONE THE SOVIET EMBASSY AND AT WHAT TIME. THE WITNESS TESTIFIED THAT NOTES OF THE INTERROGATION WITH GUBITCHEV HAD BEEN DESTROYED. THE COURT THEN ORDERED THAT WIRTH'S REPORT OF THIS INTERROGATION BE TURNED OVER TO THE COURT FOR ITS INSPECTION. AT THIS POINT, AT THE COURT'S REQUEST, GOVERNMENT COUNSEL TURNED OVER TO THE COURT FOR ITS INSPECTION THE ARREST AND INTERVIEW LOG ON GUBITCHEV. NEXT WITNESS SA THOMAS J. MC ANDREWS WHO WAS QUESTIONED BRIEFLY REGARDING THE INTERROGATION OF GUBITCHEV. WITNESS WAS QUESTIONED BY THE JUDGE CONCERNING GUBITCHEV'S ABILITY TO SPEAK AND UNDERSTAND ENGLISH AND WAS ADVISED BY THE WITNESS THAT IN HIS OPINION GUBITCHEV UNDERSTOOD AND SPOKE ENGLISH QUITE WELL AND WAS ABLE TO GIVE CLEAR AND RESPONSIVE ANSWERS TO QUESTIONS PUT TO HIM

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
PAGE THREE

Transmit the following Teletype message to:

AT THE TIME OF INTERROGATION. NEXT WITNESS WAS MR. RAYMOND WHEARTY WHO WAS QUESTIONED BRIEFLY AS TO WHEN GUBITCHEV'S REQUEST FOR PERMISSION TO TELEPHONE SOVIET REPRESENTATIVES WAS COMMUNICATED TO HIM. LAST WITNESS CONCLUDED TESTIMONY ON POMERANTZ' MOTIONS ATTACKING ILLEGALITY OF ARREST AND FOR SUPPRESSION OF STATEMENTS MADE BY GUBITCHEV AT END AFTER TIME OF ARREST.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

any

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVINS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. WOLF
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Granville

FBI, DETROIT

12-15-49

8-15 PM EST

MH

SAC, NEW YORK

URGENT

JUDITH COPLON, VALENTIN A. GUBITCHEV, ESP R. REURTEL THIS DATE
INSTRUCTING SA JAMES LYNCH TO REPORT NEW YORK. SA JAMES LYNCH LEAVING
EIGHT FIFTYFIVE THIDXX THIS DATE BY NEW YORK CENTRAL ARRIVING NINE
EIGHTEEN AM TWELVE SIXTEEN FORTYNINE NEW YORK.

O-CONNOR

END

OK FBI NYC REOT

0

62-120-709
TS Miller

D E C O D E

NEW YORK 30 FROM WASH DC

, 15

8-50 PM

SAC

/RELAY FROM SAN JUAN/

9143 GMT 12-16-49 FROM SAN JUAN 160130 TO NEW YORK GR 42 SSS

JUDITH COPLON, VALENTIN A. GUBITCHEV, ESPIONAGE DASH R. SA CHARLES
PECK ARRIVING NEW YORK CITY FOUR FIFTY ONE PM, DECEMBER EIGHTEENTH,
NINETEEN FORTY NINE PAN AMERICAN FLIGHT TWO ONE SIX.

TOR 0140 PAT END PAT

END ACK PLS

WA R 30 NY

DECODED BY CJJ

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. FORTES
MR. BOWEN
MR. ROESSAULT
MR. HAN
NIGHT SUPERVISOR
MR. LING
MR. TUOHY
MR. WALSH
MR. WOLK
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Ragan

6514932-710

T. Miller Ragan

270.

Federal Bureau of Investigation
United States Department of Justice
New York, New York

Mr. Tolson	
Mr. E. A. Tamm	
Mr. Clegg	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Carson	
Mr. Egan	
Mr. Gurnea	
Mr. Harbo	
Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Miss Gandy	

December 16, 1949

MEMO

Re: JUDITH COPLON
ESPIONAGE - R

On the afternoon of December 16, 1949 I called Mr. H. B. Fletcher to advise him that we had furnished Mr. John Kelly with the names of all agents who had monitored the COPLON and GUBITCHEV wire-taps in New York City together with the dates on which they may have done such monitoring. I advised him that we had reflected as the dates for such monitoring any period during which the employee in question was [redacted] because we have found that the employees cannot recall the dates of the calls of the conversations they remember. In order to be safe, therefore, we must include the period of [redacted] while these surveillances were running. We have advised Mr. Kelly of those employees who were considered to be regularly assigned to the surveillances; the others being in a relief capacity. The affidavits are being changed to reflect this, that is, where the employee was a regular monitor it is being stated, "Affiant functioned regularly as the monitor", and where the employee was a relief monitor the affidavit will state "Affiant functioned intermittently as relief monitor in the absence of the regular monitor".

b7E

Mr. Fletcher was further advised that the proposed affidavit had been changed as follows:

Paragraphs 3, 4, and 5 have been removed and supplanted by the following paragraph 3:

"That affiants' functions and duties as such monitor required him to listen by means of earphones to such intercepted telephone communications and to either (a) phonographically record the entire intercepted telephone communication; or (b) transcribe in writing a summary of the entire intercepted telephone communication; or (c) phonographically record a part of the intercepted telephone communication and transcribe in writing a summary of the remaining part of such communication. "

AHB:MRW

F. B. I.
DEC 16 1949
N. Y. C.
ROUTED TO

65-14222-711

MEMO

Mr. Fletcher was advised that the reason for this change is that the previous wording was too complicated and did not apply to all of the employees involved.

Mr. Fletcher was advised that paragraph 6 in the affidavit has been changed to paragraph 4 and the word "or" has been removed from the first sentence making it read, "The general nature and subject matter....."

Mr. Fletcher was advised that Mr. Kelly is now preparing the affidavits and expects to have them completed by noon Saturday, December 17th, at which time he will make them available to us. Meanwhile, we are having the employees in question again go over their statements to insure that all of their recollection is set forth therein inasmuch as on cross examination they will be asked to recall everything possible and we want to be sure that the statement is complete from that standpoint. Mr. Fletcher advised that where an employee has been on both technical surveillances, he should render two statements so that they can be submitted in separate envelopes with the affidavit.

I advised Mr. Fletcher that in view of the difficulty of obtaining a Notary Public, we planned to have all of the agents involved, including those coming from out-of-town, available on the 29th floor at 9 a.m. on Monday, December 19, 1949, at which time they will go over their affidavits and sign them, will complete the preparation of their statements, and will attend a conference for the purpose of receiving an explanation as to the issues involved in this matter.

Mr. Fletcher advised that he would be present on Monday morning.

A. H. BELMONT
ASAC

Director, FBI

December 16, 1949

AS
SAC, New York

Ry
JUDITH COPLON
ESPIONAGE - R

Attached hereto are photostatic copies of the Notice of Motion of Defense Counsel PALMER seeking a deposition from DR. EDWARD U. CONDON. Also attached are photostatic copies of the GOVERNMENT'S ANSWER to PALMER's Notice of Motion. The contents of both PALMER's Notice of Motion and the GOVERNMENT'S ANSWER have been telephonically communicated to the Bureau.

One copy of each of these documents is designated for both the Bureau and the Washington Field Office.

cc: Washington Field (Enc.2)

Encs. (2)

JMO:MPW
65-14932

71-14932-712

Federal Bureau of Investigation
United States Department of Justice
New York, New York

...VA. BELMONT
...F. B. I.
...MR. WHELAN
...MR. COLLETT
...MR. STANTON
...MR. TOLSON
...MR. LADD
...MR. CLEGG
...MR. GLAVIN
...MR. HARBO
...MR. MOHR
...MR. NICHOLS
...MR. ROSEN
...MR. TRACY
...MR. WATSON
...MR. WOOD
...MR. ZIEGLER
...MR. BELMONT
...MR. WHELAN
...MR. COLLETT
...MR. STANTON
...MR. TOLSON
...MR. LADD
...MR. CLEGG
...MR. GLAVIN
...MR. HARBO
...MR. MOHR
...MR. NICHOLS
...MR. ROSEN
...MR. TRACY
...MR. WATSON
...MR. WOOD
...MR. ZIEGLER

December 16, 1949

MEMO

Re: JUDITH COPLON
ESPIONAGE - R

The New York Press on the afternoon of December 15, 1949 and the morning of December 16, 1949 played up a motion by Defense Attorney ARCHIBALD PALMER to have DR. EDWARD U. CONDON, Bureau of Standards, appear as a witness or furnish a deposition relative to his knowledge of geophones and as a wire-tap expert, the latter based on an allegation by PALMER that the FBI had tapped CONDON's phones in Washington for the last three years.

On the morning of December 16, 1949 Mr. H. B. Fletcher was furnished the content of the affidavit and notice of motion by PALMER in this matter, a copy of which is attached hereto. It is pointed out that Item #4, "That the Government of the United States, and in particular the FBI, is constantly using illegal wire-tapping in their investigation of suspects and that in spite of the high position held by said EDWARD U. CONDON his own private and office wires were constantly tapped during the past three years," was used by the newspapers as the basis for stating that the FBI had tapped CONDON's phones.

A. H. BELMONT
ASAC

AHB:MRW

65-14932-743
F. B. I.
DEC 16 1949
N. Y. C.
J. S. Miller
FILE

...MR. SCHEIDT
 ...MR. BELMONT
 ...MR. WHELAN
 ...MR. COLLIER
 ...MR. GRANVILLE
 ...MR. HUGHES
 ...MR. KENNEDY
 ...MR. LEVVIS
 ...MR. MARCESSAULT
 ...MR. PATTON
 ...NIGHT SUPERVISOR
 ...MR. KING
 ...MR. TOLSON
 ...MR. WALSH
 ...MR. WOHLE
 ...CHIEF CLERK
 ...PROPERTY CLERK
 ...TRAINING UNIT

DECODE

NEW YORK FROM WASH 12 14 411 P

SAC URGENT

FROM SAN JUAN

REURTEL. AGENT CHARLES PECK MONITORED TECHNICAL SURVEILLANCES REFERRED TO.

SAN JUAN

END

W R12 NY

DECODED BY DE

65-14932-714

Adm.

1949
 N.Y.C.
 TS Miller

Federal Bureau of Investigation
United States Department of Justice

New York, New York

December 14, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE -- R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUCKY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

SAC Harry Kimball, San Francisco Office, returned Mr. H. B. Fletcher's call at 5:15 pm today concerning the knowledge that John O'Shaughnessey had concerning the technical surveillances on either GUBITCHEV or COPLON while he was assigned to the New York Office. SA Prachak advised that O'Shaughnessey had been contacted and that he had stated that he was on the technical surveillances on both COPLON and GUBITCHEV, principally during relief periods. He could recall no specific conversations which he may have heard prior to March 4; however, he recalls generally one conversation between COPLON and her brother wherein the brother ridiculed FBI agents. He can recall conversations between COPLON and her father and mother but nothing specific concerning these and in general he believed they pertained to "company". He recalls a conversation between PALMER and COPLON before the trial in Washington but remembers nothing specific concerning it.

[redacted] He said that in order to recall specifically any calls that he might have monitored he would have to have recourse to the original message slips. SA Prachak also put O'Shaughnessey on the telephone and I talked to him. He could recall nothing in addition to the above.

b7E

I advised the San Francisco Office, specifically SA Prachak and O'Shaughnessey, that the latter should be available at all times for immediate travel to New York in connection with this case if it is determined necessary that his testimony be utilized. I said we would advise them as to whether it would be necessary for him to come to New York.

ASAC Paul Shine of the Detroit Office returned Mr. Fletcher's call at 5:30 pm and advised that he had discussed this matter with Agent James Lynch and that Lynch [redacted]

[redacted] that he recalls working on the COPLON and GUBITCHEV technicals particularly during the shift from midnight to 9:00 am in January, February and March, 1949, where [redacted] In April he was [redacted] and in May and June he was on the midnight to 9:00 am shift. He recalls monitoring calls on COPLON's home and recalls one conversation between JUDITH COPLON and her girl friend RUTH, wherein RUTH asked about the trial and COPLON said she did not want to talk about it. He can recall nothing specific and advised he would have to have access to his original notes to refresh his memory. He said at that time it was a

b7E

cc - 65-14939 (Gubitchev)

RRG:CTC
65-14932

65-14932-715	
F. B. I.	
DEC 14 1949	
N. Y. C.	
ROUTED TO	FILE

MEMO

NY 65-14932

December 14, 1949

practice to cut recordings on "just about everything" on the COPLON and GUBITCHEV technicals. He said he recalls generally on the night of the arrest there were numerous calls to COPLON's home from the press and he believes the police department but he recalls nothing specific about that. He said that it is his recollection that at the end of the month a summary was made of all the incoming and outgoing calls on the GUBITCHEV and COPLON technicals and that this summary was made up by SA Ragan or SA John Fleming and that if he had access to this monthly summary he might recollect more specifically some of these conversations. He said he believes it would be next to impossible for him to testify to anything in connection with this matter without refreshing his memory from the original slips which were turned over to Supervisor Watson.

I advised ASAC Shine that Lynch should be available at a moment's notice to come to New York if it is necessary for his testimony to be utilized in connection with this case. He said he would be immediately available and that they could get him to New York should we advise that he was necessary here.

R. R. GRANVILLE
Supervisor

**Federal Bureau of Investigation
United States Department of Justice**

New York 7, New York

December 15, 1949

MEMO

Re: JUDITH COPLON
ESPIONAGE - R

On the afternoon of December 14, I called Baumgardner and requested that he contact Nelson A. Watson, assigned in the Training Division of the Bureau, to determine whether or not he engaged in the monitoring of any telephone conversations in the titled case. Baumgardner called back and stated that Watson's reply was yes. It is noted, however, that he was interviewed today by SA Ragan over the telephone and it was ascertained that, in fact, he did not participate in the monitoring.

In the absence of the SAC, I talked with ASAC McIntyre of El Paso and requested that he contact SA Vincent Ascherl to determine whether or not he could recall whether he monitored any telephone calls in connection with the titled case. Mr. McIntyre subsequently called back and stated that Ascherl monitored both Coplon and Gubitchev calls and he had a recollection of the substance of some of the information.

I talked with SA Andrew Trichak of the San Francisco Office in the absence of the SAC and the ASAC and asked that he contact John T. O'Shaughnessy to determine whether or not he could recall engaging in the monitoring of the telephone lines in this case.

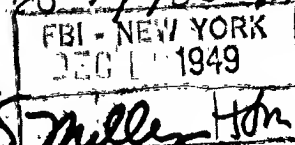
I also called ASAC Shine in absence of the SAC at Detroit and requested him to contact SA Lynch for the same information.

Today I talked with ASAC Gearty in the absence of the SAC at Cleveland and asked him to make similar inquiry of SA Daniel M. Gunn.

H. B. FLETCHER

cc 65-14939

HBF:MM
65-14932



Federal Bureau of Investigation
United States Department of Justice
New York, New York

December 15, 1949

MEMO

RE: JUDITH COPLON; VALENTIN A. GUBITCHEV
ESPIONAGE - R

This afternoon ASAC Gearty, Cleveland, advised that he had talked with SA Daniel M. Gunn and that Gunn recalls monitoring the techs in instant case and that he recalls conversations heard over the techs. Gunn claims the conversations he recalls were not pertinent.

Gearty advised further that Gunn is on leave and spoke over a phone from a bowling alley and consequently could not be too thoroughly interrogated.

I advised Mr. Gearty that in view of the fact that Gunn recalled monitoring and recalls conversations he should proceed at once to New York City by fast train.

ALBERT J. TUOHY, SA

AJT:MCF
65-14932

65-14932-717
F. B. I.
DEC 15 1949
N. Y. C.
JS Miller

CLASS OF SERVICE

This is a full-rate Telegram or Cablegram unless its deferred character is indicated by a suitable symbol above or preceding the address.

WESTERN UNION

JOSEPH L. EGAN
PRESIDENT

1201

SYMBOLS

DL = Day Letter

NL = Night Letter

LC = Deferred Cable

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Ship Radiogram

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1201 DEC 16 AM 12 20

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E SCHEIDT=SPECIAL AGENT IN CHARGE FEDERAL BUREAU OF
INVESTIGATION DEPT OF JUSTICE 607 US COURT HOUSE FOLEY
SQUARE NYK=

JUDITH COPLON, VALENTIN A GUBITCHEV ESP R SA VINCENT J ASCHERL
PROCEEDING NY VIA SOUTHERN PACIFIC TRAIN LEAVES EL PASO SEVEN
TEN AM DECEMBER SIXTEEN ARRIVES NY NINE AM DECEMBER EIGHTEEN=
BROWN••

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
MR. KING
MR. TUCKY

65-14932-718

DEC 16 1949

N. Y. C.

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS

CONIGHT AND HSE
MILLER
178M

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
DECEMBER 19, 1949

Transmit the following Teletype message to: BUREAU AND WASHINGTON FIELD . . .
URGENT

JUDITH COPLON, ESPIONAGE - R. SAAG RAYMOND WHEARTY ADVISED THAT TODAY
JUDGE SYLVESTER J. RYAN DENIED DEFENSE MOTION TO DISMISS COUNT ONE OF
INDICTMENT.

SCHEIDT

...MR. SCHEIDT
 ...MR. BELMONT
 ...MR. WHELAN
 ...MR. COLLIER
 ...MR. GRANVILLE
 ...MR. HUGHES
 ...MR. KENNEDY
 ...MR. LEVVIS
 ...MR. MARCHESSAULT
 ...MR. RAGAN
 ...NIGHT SUPERVISOR
 ...MR. KING
 ...MR. TUOHY
 ...MR. WALSH
 ...MR. WOHL
 ...CHIEF CLERK
 ...PROPERTY CLERK
 ...TRAINING UNIT

*Ne'd mnd
12-29-49*

CC: NY 65-14939

RRG:lk
65-14932

Approved: *[Signature]*
Special Agent in Charge

Sent 831P M

Per *[Signature]*

65-14932-719a

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

New York, New York
December 16, 1949

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGGINS
MR. KENNEDY
MR. LEVITS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
URGENT
MR. WALSH
MR. NEAL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU, WFO

JUDITH COPLON; VALENTIN GUBITCHEV; ESPIONAGE - R. HEARING HELD THIS MORNING BEFORE JUDGE RYAN RE PALMER'S MOTION SEEKING A DEPOSITION FROM DR. EDWARD CONDON, DIRECTOR OF THE BUREAU OF STANDARDS. DURING HIS ARGUMENT, PALMER STATED THAT IN THE COURSE OF THE WASHINGTON TRIAL OF COPLON, HE WAS CALLED BY CONDON AND VISITED THE LATTER'S OFFICE. CONDON TOLD PALMER THAT INFORMATION REGARDING GEOPHONES WAS COMMON KNOWLEDGE AND NOT RESTRICTED. FURTHER, THAT WHILE IN CONDON'S OFFICE HE, PALMER, STARTED TO MAKE A TELEPHONE CALL BUT WAS WARNED BY CONDON THAT THE TELEPHONE WAS TAPPED AND THAT ALL HIS, CONDON'S, OFFICE AND HOME TELEPHONES HAD BEEN TAPPED FOR THREE YEARS. PALMER DID NOT QUOTE CONDON AS SAYING THE FBI HAD DONE THE TAPPING. THE JUDGE RULED THAT SINCE CONDON MIGHT NOT BE AVAILABLE DURING THE COURSE OF THE NEW YORK TRIAL A DEPOSITION WOULD BE TAKEN FROM HIM SUBJECT TO A LATER DECISION BY THE JUDGE AS TO ITS ADMISSIBILITY IN EVIDENCE DURING THE TRIAL. THE JUDGE STATED HE WOULD HEAR CONDON ON THE FIRST THREE ITEMS OF PALMER'S MOTION ON MATTERS REFERRING TO GEOPHONES. THE JUDGE DOUBTED VERY MUCH IF TESTIMONY ON WIRE TAPPING FROM CONDON WOULD BE PROPER, BUT HE STATED HE WOULD PERMIT PALMER TO ASK SPECIFIC QUESTIONS WHICH THE JUDGE WOULD RULE ON AT THE TIME OF THE HEARING. THE JUDGE ORDERED THAT THE EXAMINATION OF CONDON BE HELD BEFORE HIM ON WEDNESDAY, DECEMBER TWENTY FIRST AT TEN A.M. PALMER REQUESTED A COURT SUBPOENA FOR CONDON UNDER THE RULE PROVIDING FOR SUCH IN THE CASE OF INDIGENT DEFENDANTS. THE JUDGE STATED THAT HE INTENDS TO FINISH HEARING ON ALL PRE-TRIAL MOTIONS BY THURSDAY NEXT AND WOULD HOLD COURT ON NEXT WEDNESDAY UNTIL SEVEN P.M. IF NECESSARY.

Approved: *Shih*
CC: NY 65-14939 Special Agent in Charge
JMO: MRW
65-14932

Sent 2:17 PM Per *gmy* *cm*
65-14932-719

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
PAGE TWO

Transmit the following Teletype message to:

DURING THE COURSE OF PALMER'S ARGUMENT HE MENTIONED BUREAU REPORTS WHICH
HAD BEEN PUT IN EVIDENCE IN THE WASHINGTON TRIAL AND REFERRED TO THOSE REPORTS
AS QUOTE MISERABLE GOSSIP SHEETS UNQUOTE. COURT ADJOURNED UNTIL TEN THIRTY A.M.
TUESDAY MORNING.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
DECEMBER 20, 1949

Transmit the following Teletype message to: BUREAU
WASHINGTON FIELD - URGENT

JUDITH COPLON; VALENTIN GUBITCHEV, ESPIONAGE - R. MORNING SESSION OF THIS CASE STARTED TEN THIRTY A.M. THIS DATE, AT WHICH TIME JUDGE RULED THAT ATTORNEY POMERANTZ MIGHT INSPECT THE INTERVIEW LOG OF GUBITCHEV WHICH HAD PREVIOUSLY BEEN GIVEN TO THE JUDGE FOR HIS INSPECTION. THEREAFTER, WITH THE PERMISSION OF THE COURT, MR. LEV TOLIKONNIKOV, COUNSELLOR TO THE SOVIET EMBASSY IN WASHINGTON, D.C. READ A MEMORANDUM IN ENGLISH FROM THE SOVIET AMBASSADOR WHICH WAS ADDRESSED TO THE COURT. THE MEMORANDUM SET FORTH THAT GUBITCHEV WAS A DIPLOMAT, HAD ARRIVED IN THE US ON DIPLOMATIC PASSPORT AND WITH A DIPLOMAT VISA, AND THAT HIS STATUS HAD NOT CHANGED. THE COURT STATED THAT IT FELT THAT SUCH MEMORANDUM SHOULD HAVE BEEN DIRECTED TO THE SECRETARY OF STATE AND THAT HE WAS GOING TO SEND THE ORIGINAL OF SUCH DIRECTLY TO THE DEPARTMENT OF STATE. THEREAFTER, SAAG KELLY SUBMITTED THE AFFIDAVITS AND SEALED ENVELOPES OF THE MONITORING OFFICERS ON THE GUBITCHEV AND COPLON TELEPHONES IN NYC. THE COURT STATED IT WOULD REVIEW THE CONTENTS OF THE SEALED ENVELOPES AND DECIDE IF SUCH SHOULD BE GIVEN TO COUNSEL FOR DEFENSE AS INVOLVING NO MATTERS PERTAINING TO NATIONAL SECURITY. PALMER WITHDREW FROM THE COURT'S INSPECTION OF THE COPLON TELEPHONE INTERCEPTS AND TO ANY OTHER INTERCEPTS OF CONVERSATIONS CONCERNING COPLON. ARGUMENTS CONCERNING DIPLOMATIC IMMUNITY POSTPONED UNTIL FOUR P.M. THIS DATE. FIRST WITNESS ON WIRE TAPPING ISSUE WAS ASAC ALAN H. BELMONT.

cc - 65-14939
JMO:M:ED
65-14932

Approved: EJc
Special Agent in Charge

Sent

948P

Per

REST

65-14932-720

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
PAGE TWO

Transmit the following Teletype message to:

NY 65-14932

PALMER INITIATED QUESTIONING OF BELMONT CONCERNING MICROPHONE INSTALLATION IN WASHINGTON, REGARDING WHICH THE WITNESS KNEW NOTHING.) PALMER THEREAFTER REQUESTED OF THE COURT THE NAMES OF ALL MONITORS OF PHONE CONVERSATIONS IN WFO. THE JUDGE DIRECTED THE GOVERNMENT TO PRODUCE THE NAMES OF THE WFO MONITORS AND TO EVENTUALLY PRODUCE THEM IN COURT SO THAT THEY COULD BE CROSS-EXAMINED BY DEFENSE COUNSEL. PALMER'S QUESTIONING OF WITNESS WAS VERY BRIEF. THEREAFTER ATTORNEY POMERANTZ QUESTIONED THE WITNESS CONCERNING THE TECHNIQUES OF MONITORING WITH WHICH THE WITNESS INDICATED HE WAS NOT TOO FAMILIAR. WITNESS WAS ASKED AS TO DISPOSITION OF HANDWRITTEN SUMMARIES MADE CONCERNING MONITORINGS AND THE RECORDING DISCS OF THE MONITORINGS. WITNESS WAS FURTHER QUESTIONED AS TO DISSEMINATION OF INFORMATION AND ANSWERED IT WAS DISSEMINATED, IF WORTHWHILE, TO WHATEVER AGENTS WOULD HAVE A REASON TO BE INTERESTED IN SUCH. / 3 ATTORNEY POMERANTZ QUESTIONED THE WITNESS AT LENGTH CONCERNING THE DESTRUCTION OF RECORDS AND HANDWRITTEN SUMMARIES. HE APPEARED TO BE ESPECIALLY INTERESTED AS TO WHAT WAS DONE WITH THE HANDWRITTEN SUMMARIES OF INFORMATION RECEIVED FROM THE GUBITCHEV TAP AFTER HIS ARREST UNTIL ITS DISCONTINUANCE ON SEPTEMBER TWENTYSEVEN. POMERANTZ ASKED THE COURT THAT THE GOVERNMENT PRODUCE THE ACTUAL RECORDS FROM WHICH THE SUMMARY OF GUBITCHEV'S TELEPHONE INTERCEPT HAD BEEN PREPARED. THE COURT DIRECTED THE GOVERNMENT TO PRODUCE SUCH. THE COURT EXCLUDED QUESTIONS AS TO TECHNIQUES OF WIRE TAPPING AND LOCATION OF POINTS OF MONITORING. SA THOMAS MENDENHALL OF WFO

Approved: _____
Special Agent in Charge.

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
PAGE THREE

Transmit the following Teletype message to:

NY 65-14932

WAS NEXT WITNESS. WITNESS WAS ASKED BY PALMER AS TO WHO HAD "TAPPED" COPLON'S OFFICE PHONE IN WASHINGTON. THE WITNESS ANSWERED THAT IT WAS DONE BY CONFIDENTIAL INFORMANTS. PALMER ATTEMPTED TO GET THE WITNESS TO EXPLAIN WHAT HE MEANT BY CONFIDENTIAL INFORMANTS AND DID HE MEAN THAT IT WAS NOT DONE BY BUREAU PERSONNEL. THEREAFTER THEIR ENSUED A COLLOQUY BETWEEN THE COURT'S WITNESS AND PALMER, WHICH MADE IT CLEAR THAT PALMER MEANT MONITORING WHEN HE USED THE TERM "TAP". PALMER SPENT CONSIDERABLE TIME QUESTIONING THE WITNESS AS TO WHETHER THERE HAD BEEN ANY DESTRUCTION OF RECORDS OF TELEPHONE INTERCEPTS ON COPLON IN WASHINGTON AND FURTHER AS TO WHETHER THE WITNESS HAD TOLD INSPECTOR FLETCHER THAT THE SAME HAD BEEN DESTROYED. MENDENHALL TO RESUME TESTIMONY AS WITNESS AT AFTERNOON SESSION WHICH STARTS AT TWO P.M. THIS DATE.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M. Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.
DECEMBER 24, 1949

Transmit the following Teletype message to: BUREAU

URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. AFTERNOON SESSION BEGAN AT TWO PM WITH WITNESSES BEING CALLED OUT OF ORDER AT REQUEST OF GOVERNMENT. FIRST WITNESS WAS CLIVE W. PALMER OF DEPT. OF JUSTICE WHO TESTIFIED CONCERNING NOTIFICATION TO INSPECTOR LAUGHLIN OF BUREAU WHEN HE RECEIVED INFO THAT COPLON INTENDED LEAVING TOWN. NEXT WITNESS WAS INSPECTOR LEO L. LAUGHLIN WHO TESTIFIED AS TO RECEIPT OF INFO FROM PALMER OF DJ TO EFFECT THAT COPLON INTENDED TO LEAVE WASHINGTON FOR WEEKEND. NEXT WITNESS WAS WILLIAM E. FOLEY OF DJ WHO WAS QUESTIONED AS TO HIS KNOWLEDGE OF MICROPHONE AND TAP ON COPLON. HE TESTIFIED HE HAD NO KNOWLEDGE SUCH WAS IN EXISTENCE AND HE DID NOT HEAR OF SUCH UNTIL ISSUE WAS RAISED RECENTLY. PALMER TOOK COMPLETE SUMMARIES OF MICROPHONE COVERAGE IN COPLON'S OFFICE AND TRIED TO CROSS EXAMINE FOLEY AS TO WHETHER HE HAD BEEN PRESENT WHEN ANY OF THE REPORTED CONVERSATIONS TOOK PLACE. FOLEY'S ANSWER ON EACH OCCASION WAS THAT HE DID NOT RECALL EXACTLY WHEN HE HAD BEEN IN COPLON'S OFFICE BUT THAT HE HAD PROBABLY BEEN IN THERE ON EVERY BUSINESS DAY AND THAT HE HAD MADE KNOWN TO MR. FLETCHER OF THE BUREAU ANY INFO COMING TO HIS ATTENTION AS TO COPLON'S PLANS. AFTER THIS WITNESS, THE COURT GAVE TO DEFENSE COUNSEL PALMER THE THIRTY SEALED ENVELOPES CONTAINING THE RECOLLECTIONS OF MONITORING AGENTS IN NYC. PALMER WAS SENT TO THE JUDGE'S ROBIN ROOM TO REVIEW THESE MEMOS. COURT THEREAFTER LISTENED TO DEFENSE COUNSEL POMERANTZ' ARGUMENTS CLAIMING DIPLOMATIC IMMUNITY FOR GUBITCHEV. JUDGE RYAN, AFTER HEARING POMERANTZ' ARGUMENTS, INDICATED HE FELT THAT GUBITCHEV DID NOT HAVE THE STATUS OF A DIPLOMAT AT

JMO:M:CTC

65-14932 cc - 65-14939 (Gubitchev)

Approved: ES
Special Agent in Charge

Sent 2:45 PMPer gaj

65-14932-721

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

12/21/49

Transmit the following Teletype message to:

TIME OF HIS ARREST BUT STATED HE WOULD HEAR FURTHER ARGUMENTS FROM BOTH GOVERNMENT AND DEFENSE ON THURSDAY CONCERNING THIS ISSUE. NEXT WITNESS WAS SA THOMAS MENDENHALL. DEFENSE COUNSEL PALMER CONTINUED CROSS EXAMINATION OF MENDENHALL ON ISSUE OF WHEN, HOW AND AT WHOSE INSTRUCTIONS HE PREPARED SUMMARY OF COPLON'S CONVERSATIONS ON TELEPHONES IN WASHINGTON WHICH HAD BEEN PRESENTED TO COURT. COURT ADJOURNED AT FIVE PM UNTIL TEN AM ^{10:21} ~~TOMORROW~~ MORNING AT WHICH TIME JUDGE RYAN WILL LISTEN TO AN EXAMINATION OF DR. EDWARD U. CONDON. THEREAFTER JUDGE RYAN WILL CONTINUE HEARINGS ON WIRE TAP ISSUE UNTIL TWELVE NOON. THEREAFTER COURT WILL RECESS UNTIL ONE THIRTY PM AND FROM THAT TIME ON UNTIL SEVEN PM WILL HEAR FURTHER EVIDENCE ON WIRE TAP ISSUE.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

New York, New York
12/21/49

Transmit the following Teletype message to: BUREAU AND WFO URGENT

JUDITH COPLON, VALENTINE GUBITCHEV, ESPIONAGE DASH R. HEARINGS RESUMED TEN A.M. THIS DATE. AT CUTSET JUDGE STATED HE WAS NOW CONVINCED THAT ALL HEARINGS WOULD NOT BE OVER BY DECEMBER TWENTY SEVEN, WHICH WAS ORIGINAL DATE SET FOR TRIAL. HE WAS SO NOTIFYING COMMISSIONER OF JURORS AND A TRIAL WOULD BEGIN AT END OF HEARINGS ON MOTIONS OF DEFENSE. JUDGE FURTHER STATED HEARINGS WERE TO BE REGARDED AS CONTINUOUS COURT ENGAGEMENTS FROM NOW ON. DEFENSE COUNSEL PALMER THEREAFTER CALLED TO STAND AS HIS WITNESS FOR PURPOSES OF DEPOSITION DR. EDWARD U. CONDON, DIRECTOR OF NATIONAL BUREAU OF STANDARDS. PALMER TOLD JUDGE THAT CONDON HAD REQUESTED HE NOT BE QUESTIONED CONCERNING WIRE TAPPING AS HE FELT HIS PERSONAL AFFAIRS HAD NO RELATION TO EITHER OF DEFENDANTS. THE JUDGE STATED THAT PALMER COULD SUIT HIMSELF IN THIS REGARD. NO QUESTIONS WERE ASKED ON THIS ISSUE. AFTER QUALIFYING CONDON (AS EXPERT, PALMER DIRECTED ANSWERS FROM CONDON TO EFFECT THAT INFO RE GEOPHONES AND GEIGER COUNTERS AND THE LIKE HAD BEEN INFO APPEARING IN SCIENTIFIC JOURNALS FOR AT LEAST TWENTY YEARS. IN ANSWER TO A QUESTION BY PALMER AS TO WHETHER A QUOTE RUSSIAN, UNQUOTE WOULD BE FOOLED BY INFO AS TO GEOPHONES AND LIKE, CONDON STATED THAT SUCH MIGHT BE TRUE DEPENDING ON REVELATION OF CONTEXT IN WHICH THE DEVICE WAS BEING USED. THE GOVERNMENT THEREUPON ASKED WITNESS IF THE USE OF GEOPHONES AT ALMOGORDO FOR PURPOSES OF MEASURING ATOMIC BLASTS WAS INFO IN THE PUBLIC DOMAIN. THE WITNESS ANSWERED HE DID NOT KNOW IF SUCH WAS INFO IN PUBLIC DOMAIN AND DID NOT HAVE REASON TO BELIEVE THAT SUCH WAS INFO IN PUBLIC DOMAIN. IN ANSWER TO A QUESTION BY GOVERNMENT, CONDON STATED THAT HE DOUBTED THAT THE INFO RE THE EXISTENCE OF

CC: 65-14939

Approved: *Ela*

JMO:M:ev

65-14932

Special Agent in Charge

Sent *440/R*

Per *JF*

65-14932-722 dr

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

PAGE TWO

GEOPHONES HAD BEEN SO MADE PUBLIC THAT A NON-SCIENTIFIC INDIVIDUAL SUCH AS COPLON WOULD BE AWARE OF THE FACT THAT SUCH INFO WAS IN THE PUBLIC DOMAIN. THEREAFTER THE WITNESS WAS EXCUSED. THE JUDGE STATED THAT COURT WOULD BE ADJOURNED UNTIL TWO THIRTY P.M. THIS DATE AND HEARINGS WOULD CONTINUE UNTIL SEVEN P.M. THIS DATE. TOMORROW HE INTENDS TO CONTINUE HEARINGS UNTIL SIX P.M. AND COURT WILL NOT BE IN SESSION FRIDAY NEXT. THE JUDGE ASKED THE GOVERNMENT AND DEFENSE COUNSELS TO GET TOGETHER ON ORDER OF WITNESSES SO THAT NO GOVERNMENT WITNESS WOULD UNNECESSARILY BE HELD OVER THE CHRISTMAS HOLIDAYS. THE HEARINGS ON THE WIRETAPPING ISSUE WILL RESUME AT TWO THIRTY P.M. THIS DATE.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK

DECEMBER 21, 1948

FD-36

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESAULT
MR. RAGAN
MR. TUCHY
MR. WOLFE
MR. YOUNG
MR. ZIEGLER
MR. ALLEN
MR. BROWN
MR. CLEGG
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WEAVER
MR. WHELAN
MR. WYATT
MR. ZIEGLER
MR. ALLEN
MR. BROWN
MR. CLEGG
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WEAVER
MR. WHELAN
MR. WYATT
MR. ZIEGLER

Transmit the following Teletype message to: BUREAU, WASHINGTON, FIELD URGENT

JUDITH COPLON, VALENTIN GUBITCHEV, ES DASH R. COURT RESUMED AT TWO THIRTY PM WITH SA MENDENHALL ON STAND AS WITNESS. WITNESS QUESTIONED REGARDING PRIOR KNOWLEDGE RECEIVED FROM MICROPHONE CONCERNING COPLON'S TRIPS TO NYC. THE WITNESS ANSWERED THAT THOUGH SUCH INFORMATION MAY HAVE BEEN RECEIVED FROM MICROPHONE IN SOME INSTANCES, NEVER THE LESS, INFO REGARDING HER INTENDED DEPARTURES HAD BEEN INDEPENDENTLY RECEIVED FROM HER SUPERIORS. WITNESS WAS QUESTIONED AS TO PRIOR KNOWLEDGE OF COPLON'S TRIP TO BALTIMORE WHICH MAY HAVE BEEN RECEIVED FROM MICROPHONE. THE WITNESS ANSWERED THAT THE MICROPHONE HAD PRODUCED EARLIER INFORMATION THAT COPLON EXPECTED TO TRAVEL TO PHILADELPHIA WITH SHAPIRO. HE TESTIFIED FURTHER THAT THE TRIP TO BALTIMORE WAS OBSERVED WHILE COPLON WAS UNDER PHYSICAL SURVEILLANCE AND SUCH HAD BEEN PREVIOUSLY INSTITUTED ON A CONTINUOUS BASIS THEREAFTER COVERING THE WITNESS'S KNOWLEDGE OF THE TRIP TO BALTIMORE AND COPLON'S EARLIER ASSOCIATION WITH SHAPIRO. THE WITNESS WAS THEN QUESTIONED AS TO WHETHER VERBATIM TRANSCRIPTIONS HAD BEEN MADE OF TELEPHONE AND MICROPHONE CONVERSATIONS. THE WITNESS ANSWERED IN THE NEGATIVE. THEREAFTER IN ACCORDANCE WITH THE APPLICATION OF BOTH DEFENSE COUNSELS THE JUDGE RULED THAT ALL ORIGINAL RECORDINGS FROM WASHINGTON, PHONOGRAPHIC REPRODUCTIONS THERE OF, AND A VERBATIM TRANSCRIPT OF ALL RECORDINGS IN EXISTENCE ON COPLON MUST BE PRODUCED FOR THE INSPECTION OF THE COURT AND POSSIBLY INSPECTION OF DEFENSE COUNSELS. THE NEXT WITNESS WAS SA BREWER WILSON WHO TESTIFIED THAT HE HAD NO KNOWLEDGE OF WIRE TAPPING AT THE TIME OF HER SURVEILLANCE OR AT THE TIME OF THE WASHINGTON TRIAL. THE NEXT WITNESS WAS

JMO:M:JCM

65-14932

Approved: *[Signature]*

cc: NY 65-14932 Special Agent in Charge

14939

Sent *946/8*Per *[Signature]*65-14932-723 *ad*

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
DECEMBER 21, 1949PAGE TWO
NY 65-14932

Transmit the following Teletype message to:

SA DANIEL M. GUNN WHO TESTIFIED AS TO HIS RECOLLECTION OF MONITORING OF THE
COPLON'S PHONE IN NYC. THE NEXT WITNESS WAS SA JAMES J. LYNCH WHO TESTIFIED
AS TO HIS RECOLLECTION OF THE MONITORING OF THE COPLON AND GUBITCHEV PHONES
IN NYC. IN CONNECTION WITH THE LAST TWO WITNESSES THE COURT EXCLUDED ALL
QUESTIONS REGARDING TRAINING FOR MONITORING, LOCATION OF MONITORING AND
WHETHER OR NOT THE WITNESS'S DUTIES INCLUDED THE MONITORING OF OTHER PHONES.
COURT ADJOURNED UNTIL TEN THIRTY AM TOMORROW.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK

DECEMBER 23

MR. SCHLES
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. TERRY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. MURPHY
CHIEF CLERK
PROPERTY CLERK
MISS GIBSON

BUREAU

Transmit the following Teletype message to: WASHINGTON FIELD*****
JUDITH COPLON; VALENTINE GUBITCHEV, ES-R. AT THE OUTSET OF THE MORNING
DEFENSE COUNSEL PALMER STATED THAT HE DESIRED THAT THE TESTIMONY OF
MONITORING AGENTS BE TREATED AS DEPOSITIONS FOR POSSIBLE USE IN THE FORTHCOMING
TRIAL IN ORDER TO SHOW A LACK IN INTENT ON THE PART OF COPLON. THE JUDGE
STATED HE DOUBTED THAT SUCH WOULD BE MATERIAL AND THE GOVERNMENT COUNSEL REFUSED
TO CONCEDE TO SUCH A MOVE. PALMER STATED THAT IN THAT EVENT HE WOULD ATTEMPT
DURING THE TRIAL TO RECALL ALL MONITORING AGENTS. DURING THIS SESSION, THE
JUDGE RULED THAT AFTER A REVIEW BY HIM OF THE SUMMARY OF THE RESULTS OF THE
GUBITCHEV TAP AND OF THE ORIGINAL REPORT THEREOF FROM WHICH THE SUMMARY WAS TAKEN
HE NOW BELIEVED THERE IS NOTHING IN THE LATTER WHICH IS MATERIAL AND RELEVANT
TO THE ISSUE WHICH WAS NOT IN THE FORMER. ACCORDINGLY, HE STATED HE WAS DENYING
ACCESS BY DEFENSE COUNSEL TO THE ORIGINALS. THE JUDGE THEN RULED THAT HE HAD
REVIEWED A PART OF THE SUMMARY OF THE RESULTS OF THE COPLON TAP IN NYC ^{and Wash} AND WILL
BLUE PENCIL CERTAIN PORTIONS THEREON WHICH ARE ^{NOT} MATERIAL OR REVELANT TO THE
ISSUE. THE OTHER PORTIONS THEREOF ARE TO BE PHOTOSTATED AND GIVEN TO THE DEFENSE
COUNSEL. THE FIRST WITNESS WAS SAAG KELLY WHO WAS CALLED BY PALMER. THE JUDGE
RULED OUT QUESTIONS BY PALMER CONCERNING OBJECTIONS BY KELLY DURING THE WASHINGTON
TRIAL TO PALMER'S ATTEMPTS TO QUESTION WITNESSES ON WIRE TAPPING. THE NEXT
WITNESS WAS SA LYNN W. BEDFORD, WHO TESTIFIED THAT HE MONITORED THE OFFICE PHONE
AND MICROPHONE ON COPLON IN WASHINGTON. THE WITNESS TESTIFIED AS TO WHAT HE
RECALLED OF CONVERSATIONS DURING THE TIME OF MONITORING AND THAT HE HAD NO
RECOLLECTION OF A CONVERSATION BY MR. FOLEY WITH COPLON ON MARCH FOUR LAST.

cc: Nys65-14939Field

Approved: *Ela*

cc: Ny 65-14939 Special Agent in Charge

JMO:RAS 65-14939

Sent

6:24 PM

Per

REOT

65-14932-724

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
- 2 -

Transmit the following Teletype message to:

THE WITNESS TESTIFIED REGARDING THE NATURE OF HIS ACTIVITIES AND DUTIES DURING MONITORING. THE NEXT WITNESS WAS SA CHARLES B. PECK WHO MONITORED BOTH COPLON AND GUBITCHEV IN NYC. THE WITNESS TESTIFIED AS TO HIS RECOLLECTION OF CONVERSATIONS DURING THE TIME OF MONITORING. THE NEXT WITNESS WAS SA JOHN T. O'SHAUGHNESSY WHO TESTIFIED AS TO HIS RECOLLECTION OF CONVERSATIONS ON THE COPLON TELEPHONE IN NYC DURING THE TIME HE MONITORED SUCH. BOTH OF THE LAST TWO WITNESSES TESTIFIED THAT THEY HAD NO RECOLLECTION OF A CONVERSATION BY AN INDIVIDUAL WITH A FOREIGN ACCENT TALKING TO EITHER COPLON OR HER MOTHER. THE COURT RULED OUT QUESTIONS REGARDING THE PLACE OF MONITORING AND OTHER DUTIES OF THE WITNESSES. COURT ADJOURNED AT TWELVE THIRTY UNTIL TWO THIRTY PM THIS DATE.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
DECEMBER 22, 1949

Transmit the following Teletype message to: BUREAU.....ROUTINE

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP-R. JURY CLERK, SDNY, ADVISED
ABRAHAM POMERANTZ, ~~ATTY~~ FOR GUBITCHEV, REQUESTED AND OBTAINED COPY OF NAMES
AND ADDRESSES OF THE TWENTY THREE MEMBERS OF GRAND JURY THAT INDICTED
GUBITCHEV. REASON FOR SAME NOT KNOWN. ARCHIBALD PALMER HAS PURCHASED
LIST OF FOUR HUNDRED NAMES COMPRISING JANUARY THIRD JURY PANEL.

SCHEIDT

ERT:IM

65-14932

cc - 65-14939

Approved: 
Special Agent in ChargeSent  Per 

65-14932-725

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

JMO:MT
65-14932
cc-65-14939

ED-88
MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVY
NEW YORK MANHATTAN
2/22/49 MR. RAGAN
NIGHT SUPERVISOR
MR. KEO
WASHINGTON FIELD
MR. WALSH
MR. WOHL
CHIEF CLERK
SESSION CLERK
TRAINING UNIT
ASCHERL

Transmit the following Teletype message to: DIRECTOR & SAC WASHINGTON FIELD
(URGENT)

JUDITH COPLON, VALENTIN GUBITCHEV, ESPIONAGE R. AFTERNOON
COMMENCED AT TWO THIRTY PM. FIRST WITNESS WAS SA VINCENT
WHO TESTIFIED AS TO HIS RECOLLECTION OF THE RESULTS OF THE MONITORING OF
THE COPLON AND GUBITCHEV TELEPHONES IN NYC. THE NEXT WITNESS WAS SA
WM. C. HENDRICKS, FORMERLY OF WFO. THE WITNESS WAS SWORN IN BUT PALMER
REFUSED TO QUESTION HIM SINCE NO MEMORANDUM REGARDING THE RESULTS OF THE
WITNESS'S MONITORING HAD BEEN AS YET PRESENTED TO THE COURT. NO SUCH
MEMORANDUM HAD AT THAT TIME BEEN DEMANDED BY THE COURT. THE JUDGE
RELEASED THE WITNESS OVER PALMER'S OBJECTION BUT STATED THAT PALMER
WHEN HE NEEDED THE WITNESS COULD MAKE APPLICATION AND THE JUDGE WOULD
RULE AT THAT TIME ON WHETHER THE WITNESS SHOULD RETURN. THE NEXT WITNESS
WAS SA T. SCOTT MILLER, JR., WHO TESTIFIED REGARDING THE DESTRUCTION BY
HIM OF RECORDS ON COPLON TAP IN NYC. PALMER THEN TOOK UP THE ISSUE
AS TO WHETHER MILLER HAD HEARD OTHER WITNESSES TESTIFY IN WASHINGTON
THAT THEY HAD NO KNOWLEDGE OF WIRE TAPPING AND AS TO WHETHER MILLER HAD
HEARD THE GOVERNMENT ATTORNEYS OBJECT TO ANY QUESTIONS ON WIRE TAPPING.
AT THIS POINT THE JUDGE TOOK OVER THE QUESTIONING OF THE WITNESS. THE
JUDGE ASKED THE WITNESS IF WHILE AT THE WASHINGTON TRIAL HE HAD REASON TO
BELIEVE THAT WIRE TAPPING HAD BEEN EMPLOYED DURING THE INVESTIGATION OF
THIS CASE. THE WITNESS STATED HE DID. THE JUDGE THEN ASKED THE WITNESS
IF AS A MEMBER OF THE BAR HE DID NOT FEEL THAT IT WAS HIS DUTY TO BRING

Approved: _____

Special Agent in Charge

Sent _____ M

Per _____

65-14932-726

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

2.

Transmit the following Teletype message to:

THIS FACT TO THE ATTENTION OF THE TRIAL JUDGE IN ORDER THAT QUOTE
JUSTICE UNQUOTE MIGHT BE DONE. THE WITNESS ANSWERED HE DID NOT FEEL
SO BOUND AS HE DID NOT HAVE PERSONAL KNOWLEDGE OF THE FACT THAT TELEPHONE
WIRES WERE TAPPED, NOT HAVING BEEN INVOLVED IN ANY MANNER IN THEIR
INSTALLATION. THE JUDGE PERMITTED NO FURTHER QUESTIONING ON THIS POINT.
OVER THE OBJECTION OF POMERANTZ, BUT NOT PALMER, THE JUDGE ASKED THE
WITNESS TO RECOUNT IN FULL HIS RECOLLECTION OF THE CONTEXT OF PHONE
CONVERSATIONS WHERE COPLON WAS A PARTY, BASED ON THE WITNESS'S HAVING
REPLAYED DISKS OF TELEPHONE CONVERSATIONS. THE WITNESS RECOUNTED IN
FULL TO THE BEST OF HIS RECOLLECTION. THE COURT ADJOURNED UNTIL TUESDAY
AT TEN THIRTY AM. THE JUDGE WAS CLEARLY VERY IRKED BY PALMER'S CONDUCT³
AND ATTITUDE AND STRONGLY REPRIMANDED HIM. THE JUDGE INDICATED THAT
PROCEEDINGS ON THIS ISSUE WERE NOT GOING AT A SATISFACTORY PACE AND
THAT IF AN IMPROVEMENT WAS NOT NOTED HE WOULD REQUIRE EVENING SESSIONS
NEXT WEEK IN ORDER TO BRING THE HEARING TO AN END.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

MR. SCHEIDT
 MR. BELMONT
 MR. WHELAN
 MR. COLLIER
 MR. GRANVILLE
 MR. HUGHES
 MR. KENNEDY
 MR. LEVVIS
 MR. MARCHESSAULT
 MR. RAGAN
 NIGHT SUPERVISOR
 MR. KING
 MR. TUOHY
 MR. WALSH
 MR. WOHL
 CHIEF CLERK
 PROPERTY CLERK
 TRAINING UNIT

FBI MILWAUKEE

12-20-49

9-30PM CST

GS

SAC, NEW YORK

ROUTINE

RE TELEPHONE CALL SA ROBERT GRANVILLE TODAY. SA WILLIAM C. HENDRICKS
 DEPARTING MILWAUKEE VIA NORTHWESTERN AND TWA AIRLINES NINE SEVENTEEN
 PM TODAY. WILL ARRIVE NEW YORK CITY TWO FIFTYFIVE AM DECEMBER TWENTY-
 ONE FORTYNINE.

HOSTENY

END ACK PLS

OK FBI NYC EML

65-14932-727

6 DEC 20 1949

FILE

Noid mml
 12-29-49

Federal Bureau of Investigation
United States Department of Justice
New York, New York

December 20, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

At 3:45 pm on December 20, I spoke to Mr. Robert Newby of the Washington Field Office to advise him that, in addition to the request made by Supervisor Granville, it would be necessary for the agents coming here from the Washington Field Office in connection with the tap on JUDITH COPLON in Washington to bring with them all logs, original notes and recordings, both original and dubs. I advised him that the court had ordered that the original records be made available for his perusal and for this reason it would be necessary for these items to be produced. I advised him that I was calling him at the request of Inspector Fletcher who was here in New York but who was not available at the moment.

I also called SAC Murphy of the Phoenix Office to advise him that SA Lynn Bedford, now assigned to Phoenix, was a necessary witness in this matter inasmuch as he had monitored the COPLON tap in Washington, D. C. Mr. Murphy was advised that Inspector Fletcher had instructed that SA Bedford depart immediately for New York City if possible so that he will get here by December 21. Mr. Murphy advised that Agent Bedford would depart at once and we would be informed by teletype of the time of his arrival.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-728
F. B. I.
DEC 20 1949
N. Y. C.
ROUTED TO FILE
T. J. Miller

New York, New York

December 20, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

MR. SCHEIDT
 MR. BELMONT
 MR. WHELAN
 MR. COLLIER
 MR. GRANVILLE
 MR. HUGHES
 MR. KENNEDY
 MR. LEVINS
 MR. CHESSAULT
 MR. PIERSON
 9-11-60 SUPERVISOR
 MR. NEASE
 MR. KELLEY
 MR. WALSH
 MR. COLL
 MR. KENNEDY
 PROJECT CLERK
 TRAINING UNIT

At 2:55 pm today, I called Assistant to the Director D. M. Ladd and advised him that hearings on the wire tap motion were heard this morning and are continuing this afternoon. I advised him that I was on the stand for about 1½ hours and was followed by SA Tom Mendenhall of the Washington Field Office. Judge Ryan has directed that a list of all the agents who monitored the taps in Washington be made available; that the time they worked on the taps be indicated and whether they were regular or on relief, together with any information recalled by those who worked on the technical surveillances. One of the agents who worked on the taps in Washington, Lynn Bedford, is now assigned to the Phoenix Office and I advised Mr. Ladd that I was going to call the Phoenix Office and instruct that Agent Bedford be available in New York. I advised Mr. Ladd that Mr. Fletcher discussed this with Mr. Kelley and Mr. "hearty and the latter feel that they have to go ahead with this.

I further advised Mr. Ladd that Attorney POMERANTZ brought up the point that the transcript of the information from the GURITCHEV tap was apparently made up at his request; therefore, it does not constitute the original records. POMERANTZ made the request that the original records from which the transcript was taken be produced and the judge went along with him. Mr. Fletcher took this up with Mr. Kelley and Mr. Whearty at the noon recess and they said it would have to be done. The judge said he would look over the information and delete anything that should not be brought to the attention of the defense attorneys. I advised Mr. Ladd that this means going through our files in this matter and getting out everything in which a tech is mentioned. Mr. Fletcher pointed out to Mr. Kelley and Mr. Whearty that techs are mentioned in reports, teletypes, letters and memoranda and that much of the material is repetitious and that the reports would have all of the information. The government attorneys stated that according to the judge's instructions, if any teletypes, letters or memoranda contain information about taps, they will have to be submitted. Mr. Kelley and Mr. Whearty further stated that the original logs, recordings, dubs from the recordings and the original notes of the agents would have to be made available. I advised Mr. Ladd that we will have to go through our files here and remove all material wherein taps are mentioned; that we are going to call the Washington Field Office to instruct that the agents coming up tomorrow bring with them the original logs, recordings, dubs and notes of the agents. I told Mr. Ladd that Mr. Fletcher had pointed out to the government attorneys that info from other techs is recorded on the original records but that Mr. Fletcher and Mr. Kelley did not back down on this.

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

DEC 20 1949
N. Y. C.

65-1475-729

75 Miller FILE

MEMO

NY 65-14932

December 20, 1949

I advised Mr. Ladd that Mr. Fletcher would discuss this further with Mr. Kelley and Mr. Whearty and the Bureau would be advised of all developments.

A. H. BELMONT
ASAC

65-14420-730
F B I
DEC 20 1949
N. Y. C.
Muller T. H. M.

MR. SCHEIDT
 MR. BELMONT
 MR. WHELAN
 MR. COLLIER
 MR. GRANVILLE
 MR. HUGHES
 MR. KENNEDY
 MR. LEVVIS
 MR. MARCHESSAULT
 MR. RAGAN
 NIGHT SUPERVISOR
 MR. KING
 MR. TUCHY
 MR. WALSH
 MR. WOHL
 CHIEF CLERK
 PROPERTY CLERK
 TRAINING UNIT

FBI PHOENIX

12-20-49

11-02 P

EP

SAC NEW YORK CITY

U R G E N T

JUDITH COPLON, ETAL, ESPIONAGE R. SA LYNN W. BEDFORD DEPARTING
 PHOENIX VIA AMERICAN AIRLINES FLIGHT TWELVE, TEN TWENTY PM TONIGHT.
 ARRIVING NYC ONE FORTY PM TOMORROW.

MURPHY

END ACK PLS

DBBB

K OK FBI NYC PCG K

65-14932-731

6 DEC 20 1949
 N. Y. C.
 J. S. Miller

Federal Bureau of Investigation
United States Department of Justice
New York, New York

December 21, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

At 10:50 am today, in the absence of Mr. Leo Laughlin, I advised Mr. Fred Baumgardner of the Bureau that I was calling at the request of Mr. H. B. Fletcher to advise what happened in court this morning. The morning session began at 10:00 am and finished about 10:45 am and will be resumed at 2:30 this afternoon. Dr. EDWARD U. CONDON appeared on the stand and at his request was not asked any questions about wire tapping, stating that anything he knew along this line did not concern GUBITCHEV or COPLON but effected his personal affairs. On the second phase of his deposition concerning geophones, CONDON's answers were such that they defeated PALMER's purpose. I advised Mr. Baumgardner that PALMER was attempting to prove that the information set out in the decoy memorandum, prepared by Mr. Lamphere of the Bureau, was known to everybody, but in answer to PALMER's questions, CONDON stated that the information as it was set forth was not in the public domain.

Mr. Baumgardner was further advised that the court advised that the trial would not start on December 27, but that the hearings would continue. Court will be held today and tomorrow but none on Friday, and will be resumed after Christmas. The court has instructed the defense attorneys to line up their witnesses according to when they would be needed in order to avoid witnesses being held over the holidays unnecessarily.

A. H. BELMONT
ASAC

cc 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-732
F. B. I.
DEC 21 1949
N. Y. C.
Miller

MR. SCHMIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. STANVILLE
MR. TUNNEY
MR. BRYAN
MR. SAULT
MR. CLARK
MR. CLERK
TRAINING UNIT

MEMO TO FILE

SUBJECT: JUDITH COPLON wa; Espionage - R.

JOHN H. A. HEINS, taxicab driver for National Transportation Company 1790 Broadway, N.Y.C. who resides at 65-24 79th Place, Middle Village, Queens, Telephone TWining 4-8991 advised that his cab stand is at 930 Fifth Avenue, N.Y.C. and he frequently ^(at least twice a week) takes ARCHIBALD PALMER, Attorney for the subject, from his home at this address to various points throughout the city.

HEINS furnished a signed statement in a Loyalty of Government Employees investigation (121-8408) and stated he was willing to co-operate fully with the Bureau at any time. He normally works on the day-time shift, with Sundays off.

The above information is being set out for possible future reference.

65-14932-733	
FBI	
1949	
N. Y. C.	
ROUTED TO	FILE
	18m

SP
Director, FBI
Att: Mr. H.B. Fletcher
SAC, New York

December 27, 1949

JUDITH COPLAN
VALENTIN GUBITCHEV
ESPIONAGE - R

Enclosed herewith is one photostatic copy of the document with deletions which the court will make available to defense counsel PALMER. As the Bureau has been advised by telephone, these deletions were ordered by Judge RYAN on the grounds that he felt that these blocked-out portions were not material or relevant to the issue and further, on the ground that they might involve national security.

Encl.

AIR MAIL - REGISTERED

JMM:DC
65-14932

FILE STRIPPED
BY *WON 574*

65-14932-734

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1192062-2

Total Deleted Page(s) = 3

Page 137 ~ b7E;

Page 138 ~ b7E;

Page 139 ~ b7E;

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X   No Duplication Fee      X
X   For this Page           X
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FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

FD-36
MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
NEW YORK, NY 100
DECEMBER 27, 1949
MR. LEVVIS
MR. MARCESSAULT
MR. RAGAN
NIGHT SUPERVISOR
FBI NEW YORK
URGENT
MR. TUCHY

Transmit the following Teletype message to: BUREAU, WASHINGTON

JUDITH COPLON; VALENTIN GUBITCHEV, ESPIONAGE - R. HEARING ON WIRE TAPPING ISSUE RESUMED TODAY AT TEN THIRTY A.M. BEFORE JUDGE RYAN. AT THE OUTSET THE JUDGE STATED THAT IN CONNECTION WITH COURT'S EXHIBIT NO. ONE, WHICH CONTAINED ALL WIRE TAP INFORMATION CONCERNING COPLON, BOTH IN NY AND WASHINGTON, HE HAD FINISHED HIS REVIEW OF THAT MATERIAL. THE JUDGE STATED THAT HE WAS GOING TO PERMIT DEFENSE COUNSEL TO HAVE FULL INSPECTION OF THAT MATERIAL, EXCEPT CERTAIN PORTIONS OF THE RESULTS OF THE TAP ON COPLON'S OFFICE PHONE IN WASHINGTON. HE FELT THAT CERTAIN PORTIONS OF THE LATTER WERE NOT MATERIAL OR RELEVANT AND POSSIBLY CONNECTED WITH THE NATIONAL SECURITY. THEREAFTER THE JUDGE DIRECTED THE GOVERNMENT TO SECURE A CERTIFICATE FROM THE U.S. STATE DEPT. RE GUBITCHEV'S STATUS AND A CERTIFICATE FROM THE UN RE STATUS OF GUBITCHEV. BOTH THESE LATTER INSTRUCTIONS WERE IN CONNECTION WITH THE MOTION REGARDING GUBITCHEV'S DIPLOMATIC STATUS. THEREAFTER, IN THE COURSE OF A DISCUSSION, THE JUDGE STATED THAT HE FELT THAT IT WAS DOUBTFUL THAT THE TESTIMONY OF MONITORING AGENTS FROM WASHINGTON FIELD WOULD BE NECESSARY IN LIGHT OF THE FACT THAT THE DISCS AND SUMMARY OF INFORMATION THEREON WERE BEING PRESENTED TO THE COURT FOR ITS INSPECTION. (2) EXAMINATION OF SA T. SCOTT MILLER CONTINUED BY DEFENSE COUNSEL PALMER. PALMER QUESTIONED THE WITNESS REGARDING THE APPROXIMATE DATES OF INVESTIGATIVE REPORTS ON COPLON AND AS TO WHETHER OR NOT THEY INCLUDED INFO RECEIVED FROM WIRE TAPS.

cc NY 65-14939

JMO:M:SMS
65-14932

Approved: [Signature]
Special Agent in Charge

Sent 5-18P M

Per [Signature]

65-14932-735

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

- 2 -

WITNESS SUPPLIED APPROXIMATE DATES AND STATED THEY DID INCLUDE INFO/RECEIVED FROM WIRE TAPS. THEREAFTER THE COURT INSTRUCTED THAT COPIES OF MILLER'S REPORTS CONTAINING THE INFO RECEIVED FROM WIRE TAPS BE PRODUCED FOR THE COURT'S INSPECTION. AT THIS POINT DEFENSE COUNSEL POMERANTZ TOOK OVER THE EXAMINATION OF THE WITNESS. HE QUESTIONED THE WITNESS CLOSELY REGARDING THE METHOD AND MECHANICS OF THE DESTRUCTION OF DISCS AND HANDWRITTEN SUMMARIES MADE BY MONITORING AGENTS. HE ATTEMPTED TO SUGGEST THE POSSIBILITY OF THE RETENTION OF SOME OF THE DISCS IN CONNECTION WITH CASES OTHER THAN THE GUBITCHEV--COPION CASE. THE WITNESS ADVISED THAT HE HAD CAUSED A SEARCH TO BE MADE AND HAD ASCERTAINED THAT IT WAS ALMOST IMPOSSIBLE TO DETERMINE ACCURATELY WHETHER SUCH WERE KEPT. THEREAFTER POMERANTZ ATTEMPTED TO BRING OUT BY HIS QUESTIONING THAT THE WITNESS MIGHT HAVE DELIBERATELY DESTROYED THE RECORDS IN LIGHT OF THE NARDONE DECISION SO THAT DEFENSE COUNSEL WOULD NOT HAVE THE OPPORTUNITY TO COMPLETELY EXPLORE INFO RECEIVED FROM WIRE TAPS. (3) THE WITNESS STATED THAT THE DESTRUCTION OF THE RECORDS WAS DONE IN A ROUTINE FASHION IN ACCORD WITH OFFICE POLICY WHICH GAVE HIM DISCRETION IN THIS REGARD, AND THAT THERE WAS NO THOUGHT AT THE TIME OF DESTRUCTION OF KEEPING THE INFO OUT OF THE HANDS OF DEFENSE ATTORNEYS. IN THIS CONNECTION POMERANTZ SUGGESTED TO THE COURT THAT THE INCIDENT REGARDING HAROLD SHAPIRO, WHICH WAS USED AGAINST COPION ON REBUTTAL AT THE WASHINGTON TRIAL, HAD BEEN INFO WHICH WAS THE DIRECT RESULT OF PHONE INTERCEPTION. THE JUDGE DID NOT FLATLY STATE

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

- 3 -

THAT HE AGREED WITH POMERANTZ, BUT INDICATED THAT HE, TOO, WAS OF THAT
OPINION. THE NEXT WITNESS WAS MR. RAYMOND WHEARTY WHO PALMER ATTEMPTED TO
EXAMINE REGARDING KNOWLEDGE OF WIRE TAPPING PRIOR TO AND DURING THE WASHINGTON
TRIAL. THE COURT SUSTAINED OBJECTIONS TO PRACTICALLY EVERY QUESTION ASKED
WHEARTY IN THIS REGARD. COURT ADJOURNED UNTIL TWO P.M. THIS DATE.

SCHEIDT

L

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
DECEMBER 27, 1949

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD - URGENT
JUDITH COPLAN, VALENTIN GUBITCHEV, ESPIONAGE-R. TAT AFTERNOON SESSION
OF WIRETAP HEARING THIS DATE, NINETEEN BUREAU EMPLOYEES APPEARED AS WITNESSES.
ALL OF THESE WITNESSES WERE INDIVIDUALS WHO HAD MONITORED EITHER OR BOTH
THE COPLAN AND GUBITCHEV RESIDENCE TELEPHONES IN NYC. THE QUESTIONS OF
THE DEFENSE COUNSEL TO THESE WITNESSES WERE ALL DIRECTED TO ATTEMPT TO
ATTACK THE CREDIBILITY OF THE WITNESSES AND TO DETERMINE IF THEY RECALLED
ANY CONVERSATIONS OTHER THAN THOSE WHICH HAD BEEN SET OUT THROUGH
AFFIDAVITS PREVIOUSLY PRESENTED TO THE COURT. ALL WITNESSES MAINTAINED
THAT THE MEMORANDUM OF THEIR RECOLLECTIONS WHICH HAD BEEN PRESENTED WITH
THEIR AFFIDAVITS CONTAINED IN FULL THEIR PRESENT RECOLLECTIONS OF THE
SUBSTANCE OF THE TELEPHONE CONVERSATIONS. THE HEARING CONTINUES TOMORROW
MORNING WITH SE JOHN T. MURTAGH UNDER CROSS EXAMINATION.

SCHEIDT

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

cc NY 65-14939

JMOM:DC
65-14932

Approved: *[Signature]*

Special Agent in Charge.

Sent

941P M

Per *[Signature]*

65-14932-736

---MR. SCHEIDT
 ---MR. BELMONT
 ---MR. WHELAN
 ---MR. COLLIER
 ---MR. GRANVILLE
 ---MR. HUANG
 ---MR. JENNINGS
 ---MR. LEE
 ---MR. M. J. C. CAULT
 ---MR. N. J. J.
 ---NICHOLS, SUPERVISOR
 ---MR. J.
 ---MR. J. J.
 ---MR. W. J.
 ---MR. W. J.
 ---CHIEF CLERK
 ---PROPERTY CLERK
 ---TRAINING UNIT

MEMO

At 1:45 pm today, I called Mr. H. B. Fletcher at the Bureau and advised him that Mr. Kelley and Mr. Whearty had requested to be advised as to what had been heard with regard to the surveillance of COPLON prior to her trip to Baltimore and Philadelphia with HAROLD SHAPIRO. Furthermore, what prompted our investigation in Philadelphia on this matter. I told him that the judge had stated today that he observed that the trip to Philadelphia with SHAPIRO and the surveillance of COPLON with regard to this matter was possibly based on information furnished by telephone taps on COPLON's residence. I explained to him that I discussed this matter with Mr. Whearty and Mr. Kelly and that they were in agreement and that the only original information from the reports that need be furnished are those pages which contain the information from the telephone taps. However, they stated that they also desired any original letters, teletypes or memoranda which were the basis for the transcript furnished to the court.

Mr. Fletcher said he would call back tomorrow morning at 9:00 am in regard to clearance of this matter. Mr. Whearty and Mr. Kelley also desired to be advised as to when they could expect the completion of the transcript of the recordings of the Washington telephone taps in this case. Mr. Fletcher said that he would also advise us tomorrow as to the estimated time which this would be completed. He also advised that the surveillance of COPLON at Washington was commenced at 5:25 pm on January 6 and continued until 6:30 pm. It was commenced from the Department of Justice building where she departed at 5:25 and entered a Plymouth bearing 1946 Connecticut license, subsequently determined to belong to HAROLD SHAPIRO. At 5:35 pm, they were observed at 11th and M Streets, N.W. At 5:45 pm they were at Thomas Circle and the surveillance was lost due to heavy traffic. At 6:10 pm the surveillance was instituted at the COPLON apartment in Washington and at 6:30 pm was discontinued.

On January 7, the surveillance was commenced at 3:30 pm at the Department of Justice Building. At 5:32 pm, she came out, boarded a bus and transferred to a trolley. At 6:10 pm she was in McLean Gardens. At 7:05 pm SHAPIRO arrived; at 7:10 pm, subject and SHAPIRO came out and purchased gasoline in a filling station. They returned to her apartment where she went in for half an hour and came out and they departed enroute to Baltimore.

RRG:CTC
65-14932

65-14432-737
F. B. I.
DEC 23 1949
N. Y. C.
ROUTED TO FILED *fm*

MEMO
65-14932

December 27, 1949

On January 10, surveillance on the COPLON residence was commenced at 8:00 am and continued until 9:00 am and she was not observed. There was also a surveillance on the Department of Justice Building on January 10. On the following dates surveillances were instituted on her in Washington. This does not mean that they were continuous surveillances: January 11, 12, 13, 14, 19, 29, 30, 31; February 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 23, 25, 26, 28; March 1, 4.

It is noted that the report of SA Thomas A. Mendenhall dated March 8, 1949 reflected she was under surveillance on February 17.

At 3:45 pm today, Mr. Fletcher called and stated that the initial check at the Bellevue-Stratford Hotel in Philadelphia was based strictly on information obtained from a telephone tap. After COPLON's arrest, SHAPIRO was interviewed and he advised he had stayed at the Bellevue-Stratford. In June, a photostat of the registration card was obtained.

At 4:00 pm, SA T. S. Miller, in a conversation with Mr. Fletcher, was asked whether the transcript on the COPLON home telephone tap in Washington reflected a call by COPLON to her mother on February 13, 1949, as set out in the memorandum dated February 15, 1949 of Mr. Belmont. Mr. Fletcher was advised that the Washington transcript does so reflect the call.

Mr. Fletcher also wanted to know if a telephone call from COPLON to her mother on February 27, 1949 was set out in the Washington transcript. He also wanted to know whether it was in the transcript of the COPLON home telephone tap in New York. Mr. Fletcher was advised that the referred-to call was set out in the New York transcript but that it was not set out in the Washington transcript.

Mr. Fletcher stated he would communicate with this office relative to the instant matter at about 9:00 am on December 28.

R. R. GRANVILLE
Supervisor

Federal Bureau of Investigation
United States Department of Justice
New York, New York

December 28, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

On December 27, Mr. H. B. Fletcher of the Bureau inquired of me relative to the quotation of a letter from Judge Reeves to Mr. PALMER, appearing on page 18 of my report dated August 18, 1949. Mr. Fletcher was inquiring of the wording immediately preceding the quotation of Judge Reeves' letter to the effect "LARRY read this letter and informant was later able to examine it and quote it as follows". Mr. Fletcher wanted to know whether the letter was actually made available.

I advised Mr. Fletcher that this was merely an effort on the part of the agent writing the original letter incorporating this information to conceal the identity of the informant which was Confidential Informant

b7E

T. S. MILLER
SA

TSM:CTC
65-14932

65-14932-738	
F. B. I.	
DEC 28 1949	
N. Y. C.	
ROUTED TO	FILE
	T84

MR. SCHEIDT	
MR. BELMONT	
MR. WHELAN	
MR. COLLIER	
MR. GRANVILLE	
MR. F. J. BY	
MR. BAULT	
MR. NEOR	
MR. CLERK	
PROPERTY CLERK	
TRAINING UNIT	

**Federal Bureau of Investigation
United States Department of Justice
New York 7, New York**

December 28, 1949

MEMO:

RE: JUDITH COPLON
ESPIONAGE - R

On December 12, 1949, Special Employee CLINT POLLOCK, advised that while at the Board of Elections, Manhattan, he learned that ARCHIBALD PALMER, Attorney for subject, had requested a check of the Election Board records on December 5, 1949 on one:

EDWARD I. SMITH
Negro
Res.: 73 West 128th Street

POLLOCK advised that the Election records reflect that SMITH registered ALP in 1948, 1947, and 1946 and in 1946 listed his occupation as superintendent at 532 West 152nd Street, New York City. In 1944 SMITH was married and gave his age as 49 years. In previous years SMITH had listed his occupations as plater and chauffeur.

A check of the Jury Panel lists for November, and December, does not reflect that EDWARD I. SMITH was a potential juror in this case.

EDWIN R. TULLY, SA

65-14932-739

ERT:pb
65-14932

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

December 28, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. TOLAN
MR. COLLIER
MR. HENRICH
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WHEARTY
MR. YERGEN
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

On the afternoon of December 28, Mr. H. B. Fletcher of the Bureau advised that the technical surveillance on the Washington, D. C. apartment of JUDITH COPLON was installed as of 4:00 pm on January 6, 1949. The first call came through at 6:52 pm on January 6. At 8:25 pm, JUDITH COPLON discussed plans to go to Philadelphia over the weekend and at 6:32 pm on January 7, she also discussed her plans to go to Philadelphia over the weekend. At 11:35 pm on January 9, she discussed the fact that she had been at a hotel in Philadelphia. It was based on this information that the Philadelphia agents checked the hotel on the first occasion at Philadelphia.

This information was furnished to Mr. John Kelley on the afternoon of December 28, 1949. It was pointed out to him that in Mr. Fletcher's affidavit he had shown the starting date of the tap as January 7 and that this came from the Bureau's records and undoubtedly there was a time lag of half a day between the Bureau's records and those of our Washington Division, which actually installed the tech. It was stressed to him that the fact that the tap was effective on January 6 was reflected by the transcript that had been turned over to Judge Ryan which actually shows the tap started on January 6 and the first call was 6:52 pm.

Mr. Kelley indicated that the question of whether the investigation of COPLON's trip to Baltimore and Philadelphia with SHAPIRO arose from the information coming over the tap depended on the instructions given to the Washington agents and their activities on the physical surveillance. In discussing this later with Mr. Fletcher, it was suggested that as Mr. Whearty and Mr. Kelly plan to return to Washington the night of December 28, it might be well for them to get together with Mr. Delavigne and the Washington agents so that any minor points in connection with this can be discussed and there will be no question that Mr. Kelley or Mr. Whearty will be taken by surprise by answers of the agents on the stand. Mr. Fletcher agreed that this would be a good idea.

The notation as to the serials which have been charged out of the files and which are to be turned over to Judge Ryan reflecting all of the original information existing in our files concerning information received over the tap on the New York COPLON residence has been entered on the

AHB:CTC
65-14932

F. B. I.
65-14932-740
DEC 28 1949
N. Y. C.
ROUTED TO FILE

MEMO

NY 65-14932

December 28, 1949

memorandum of SA T. S. Miller dated December 28. It is noted that this memorandum did not contain the memorandum dated August 5, 1949 reflecting a call by me to Mr. Fletcher. Apparently this was missed when Mr. Fletcher went over this matter here in New York last week. He was so advised and he instructed that this memorandum be included in the material to be turned over to Judge Ryan.

A. H. BELMONT
ASAC

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
DECEMBER 28, 1949

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT

JUDITH COPLON; VALENTIN GUBITCHEV; ESPIONAGE - R. / AT MORNING SESSION OF HEARING ON WIRE TAP ISSUE THIS DATE, QUESTIONING WAS COMPLETED OF SIX WITNESSES, ALL OF WHOM HAD AT ONE TIME OR ANOTHER WORKED IN NYC AS MONITORS ON THE COPLON AND GUBITCHEV TELEPHONES. DEFENSE COUNSEL PALMER / HAD BEEN ATTEMPTING TO LEARN THE NAME OF THE AGENT WHO MONITORED A LONG DISTANCE PHONE CALL ON FEBRUARY TWENTY-SEVENTH, NINETEEN FORTY-NINE FROM COPLON IN WASHINGTON TO HER MOTHER IN NY, AT WHICH TIME COPLON INFORMED HER MOTHER THAT SHE WOULD BE IN NY ON MARCH FOURTH. / GOVERNMENT COUNSEL ADVISED / THE COURT THAT FROM THE MEMORANDUM / OF SA VINCENT J. ASCHERL IT APPEARED THAT HE UNDOUBTEDLY WAS THE AGENT WHO MONITORED THAT CALL, AND FURTHER, / THAT ASCHERL HAD ALREADY TESTIFIED AND WAS BACK IN EL PASO, TEXAS. PALMER'S APPLICATION TO RECALL ASCHERL WAS DENIED BY THE JUDGE. ALL WITNESSES WERE QUESTIONED AS TO THEIR RECOLLECTIONS OF DATES OF MONITORING, AS TO THEIR RECOLLECTIONS OF CONTENT OF CONVERSATIONS MONITORED, / AND AS TO MECHANICS OF MONITORING. DEFENSE COUNSEL HAVE BEEN QUESTIONING THE WITNESSES AS TO WHETHER OR NOT THEY CUSTOMARILY SIGN A / TIME SHEET AT THE TIME OF ARRIVAL AND DEPARTURE FROM WORK. AT THE REQUEST OF DEFENSE COUNSEL, THE JUDGE ^{asked for} ~~ORDERED~~ THE PRODUCTION, IF ^{AND IF THE GOVERNMENT SO DESIRES,} AVAILABLE, ⁿ OF THE DAILY TIME SHEETS SHOWING THE TIME / OF WORK OF MONITORING 2 AGENTS DURING THE PERIOD THE TELEPHONE TAPS WERE IN EFFECT. GOVERNMENT COUNSEL BROUGHT FROM THE LAST WITNESS THE STATEMENT THAT EVEN IF HE HAD THE OPPORTUNITY TO LOOK AT THE DAILY TIME SHEET ON WHICH HE SIGNED IN AND OUT OF WORK, THE LATTER WOULD NOT REFRESH HIS RECOLLECTION AS TO WHEN HE WORKED ON

cc: 65-14939

Approved: _____

JMO:M:RK

65-14932

Special Agent in Charge

Sent

M

Per

65-14932-741

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

-2-

Transmit the following Teletype message to:

THE GUBITCHEV AND COPLON TELEPHONE LINES. COURT TO CONVENE AT TWO PM.
GOVERNMENT COUNSEL HAS STATED IT DOES NOT CONTEMPLATE THE PRODUCTION
OF THE DAILY TIME SHEETS OF MONITORING PERSONNEL OF NYO.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.
DECEMBER 28, 1949
-----Transmit the following Teletype message to: BUREAU URGENT
WASHINGTON FIELD

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. / FIRST WITNESS AT AFTERNOON SESSION WAS SA JOHN V. WALSH WHO TESTIFIED HE HAD AT TIMES MONITORED TELEPHONE CONVERSATIONS FROM COPLON RESIDENCE IN NYC. WITNESS WAS QUESTIONED AS TO HIS RECOLLECTION OF CONVERSATIONS SO MONITORED. NEXT WITNESS WAS SA ROBERT J. WIRTH WHO TESTIFIED THAT IN CONNECTION WITH INVESTIGATION OF GUBITCHEV HE HAD BECOME AWARE IN FEBRUARY, FORTY NINE, THAT GUBITCHEV'S HOME PHONE WAS TAPPED. WITNESS THEN TESTIFIED AS TO DESTRUCTION OF MONITOR'S SLIPS AFTER DICTATION OF INVESTIGATIVE REPORT. WITNESS THEREAFTER TESTIFIED AS TO THE PROCEDURE RESULTING IN DESTRUCTION OF PHONOGRAPHIC DISCS ON WHICH CONVERSATIONS WERE RECORDED. AT REQUEST OF DEFENSE COUNSEL POMERANTZ JUDGE INSTRUCTED THAT GOVERNMENT COUNSEL ASCERTAIN NAME OF THE INDIVIDUAL RESPONSIBLE FOR PHYSICAL DESTRUCTION OF PHONOGRAPHIC DISCS AND TO PRODUCE THAT INDIVIDUAL IN COURT FOR CROSS EXAMINATION. NEXT WITNESS WAS SA RICHARD E. BRENNAN WHO WAS QUESTIONED AS TO WHEN HE BECAME AWARE OF THE TAP ON COPLON RESIDENCE IN NY. WITNESS STATED HE FIRST BECAME AWARE OF SUCH IN LATTER PART OF FEBRUARY, FORTY NINE. COURT RECESSED AT FOUR PM WITH BRENNAN STILL ON WITNESS STAND. TOMORROW JUDGE WILL HEAR ARGUMENTS ON ISSUE OF GUBITCHEV'S IMMUNITY. THEREAFTER COURT WILL BE RECESSED UNTIL TUESDAY, JANUARY THIRD, AT WHICH TIME HEARING WILL CONTINUE ON WIRE TAP ISSUE. AT PALMER'S REQUEST, JUDGE ORDERED THAT FOLLOWING WITNESSES BE PRESENT ON TUESDAY NEXT FOR EXAMINATION IN CONNECTION WITH WIRE TAP HEARING: INSPECTOR H. B. FLETCHER,

cc - 65-14939 (Gubitchev)

JMO:M:CTC
65-14932
Approved: _____

Special Agent in Charge

Sent 10-09P M

Per _____

65-14932-742

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

---2---

12/28/49

Transmit the following Teletype message to:
SAS ROBERT J. LAMPHIRE AND KENNETH DELAVIGNE. ALSO TO BE PRESENT ARE THE
FOLLOWING WFO EMPLOYEES WHO MONITORED IN WASHINGTON: CREEDEN, LYNCH, REESE,
DYER, GHEESLING, DUNCAN, MUGAVIN, RODMAN, LAVOIE. PALMER HAS INDICATED
THAT HE DESIRES TO QUESTION THE NAMED GROUP CONCERNING INTERCEPTION OF
PHONE CALLS OF COPLON'S WHICH INDICATED HER INTENTIONS TO TRAVEL TO NEW YORK
ON JANUARY FOURTEENTH, FEBRUARY EIGHTEENTH AND MARCH FOURTH.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

January 6, 1949. Agents on duty: Courtland J. Jones, L. W. R. Oberndorf,
Thomas Mendenhall, H. Dudley Payne.

5:25 pm Subject observed by all of the above agents to emerge from the Department of Justice Building and enter a 1946 black Plymouth Sedan with white sidewall tires, bearing 1948 Connecticut license No. BP 280. The owner of the car subsequently identified as HAROLD P. SHAPIRO of New Hartford, Connecticut. This automobile was parked in basement garage of the Justice Building.

The following activity of the subject was observed by SA Oberndorf and Payne:

5:35 pm COPLON and SHAPIRO parked in the vicinity of 11 and M Street, N.W. and entered the apartment building at 1126 11 Street, N.W.

5:45 pm COPLON and SHAPIRO emerged from the apartment house, re-entered the automobile and proceeded out M Street to Thomas Circle. Then up Massachusetts Av. to 17 Street when surveillance was lost due to heavy and congested traffic.

6:10 pm Surveillance taken up in vicinity of subject's home, McLean Gardens.

6:30 pm Surveillance discontinued due to no activity.

/s/ Courtland J. Jones
/s/ L. W. R. Oberndorf
/s/ Thomas Mendenhall
/s/ H. Dudley Payne

January 7, 1949. The following surveillance was conducted of the subject on January 7-8, 1949 by SAs H. Dudley Payne, Courtland J. Jones, Robert W. McCaslin, Carl W. Buckholz and Thomas Mendenhall:

3:30 pm to 5:30 pm Surveillance maintained Department of Just. Building.

5:32 pm Subject left Justice Bldg., boarded Constitution Avenue bus.

5:50 pm Subject transferred to trolley at corner Wisconsin and Mass. Avenues, N.W.

6:10 pm Subject alighted from street car Wisconsin Avenue and Rodman Street, N.W. and walked to residence in Jefferson Hall, McLean Gardens, 3685 38 Street, N.W.

65-14111-743

SEARCHED	INDEXED
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JAN 10 1949	
FBI - WASH. D.C.	
ROUTED TO	

The following activities of the subject were observed by SAs H. Dudley Payne, Courtland J. Jones, Carl W. Buckholz and Thomas Mendenhall:

- 7:05 pm 1946 Black Plymouth Sedan with white sidewall tires, bearing 1948 Connecticut license No. BP 280 observed being parked on Rodman Street just outside subject's residence. Occupant, man appearing to be 35 years of age, wearing dark, wide-brim hat, 5'8" tall, weighing about 160, observed alighting from car, looked at his watch, apparently waiting for someone. He was wearing black overcoat and horned-rimmed glasses.
- 7:10 pm Subject observed coming out Rodman Street entrance of her residence and getting into above-described car with companion. Immzited headed in direction of Wisconsin Avenue.
- 7:15 pm Subject and companion stopped at service station across from Sers on Wisconsin Avenue.
- 7:22 pm Subject and companion drove from filling station back to 3685 38, N.S., subject going into her residence, the companion remaining in parked car.
- 7:50 pm Subject left her residence, entered car and drove approximately two blocks to circle just off 38 Street and stopped. Occupants of car not in view at this point.
- 7:55 pm Subject and companion proceeded across town via Nebraska Ave. and Military Road to Silver Springs, Md., then to Mrs. K's Toll House Tavern on the Colesville Pike.
- 8:15 pm Subject and companion entered Mrs. K's Tavern.
- 9:38 pm Subject and companion left Mrs. K's Tavern proceeding on Route 29 in direction of Laurel and Baltimore, Md.
- 10:55 pm Subject and companion arrived Baltimore, Md., parked near Southern Hotel. Walked to hotel and entered the Rainbow Room Bar of the Hotel.
- 11:00 pm Subject's companion came out to the car, drove it to front of hotel and removed baggage from car.
- 11:10 pm Hotel attendant drove subject's companion's car from front of hotel. It was subsequently ascertained it was taken to the Downtown Garage.

11:30 pm It was ascertained that the subject's companion had registered as Mr. and Mrs. H. P. SHAPIRO, 122 Burnside Avenue, East Hartford, Connecticut, and were assigned Room 412.

12:00 mid- Surveillance discontinued and Baltimore office advised of
night location of subject.

Federal Bureau of Investigation
United States Department of Justice
New York, New York

December 28, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

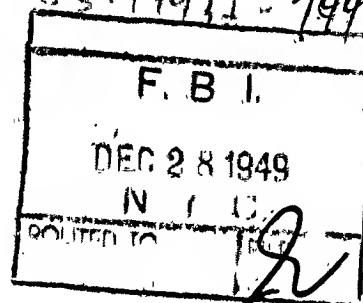
Attached hereto are the original and two copies reflecting the details of the surveillance by the Washington Field Office of JUDITH COPLON on January 6 and 7, 1949. One copy of this was made available to SAAG John Kelley at 1:45 pm today.

This information was furnished to me by Mr. H. B. Fletcher of the Bureau at 9:15 am today.

R. R. GRANVILLE
SA

Atts.-3

RRG:CTC
65-14932



MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. TUNNEY
MR. STANLEY
MR. SAUL
MR. SULLIVAN
MR. TOLSON
MR. TRACY
MR. WATSON
MR. WOOD
MR. YERGEN
MR. ZIEGLER
MR. C. L. ...
PRO. ... CLERK
TRAINING UNIT

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
DECEMBER 29, 1949

Transmit the following Teletype message to: BUREAU
WASHINGTON FIELD URGENT

JUDITH COPLON, VALENTIN GUBITCHEV, ESPIONAGE (R). ARGUMENTS WERE HEARD BEFORE JUDGE RYAN THIS DATE ON THE ISSUE OF DIPLOMATIC IMMUNITY WITH MR. FRED STRINE ARGUING FOR THE GOVERNMENT AND MR. POMERANTZ ARGUING IN BEHALF OF GUBITCHEV. AFTER HEARING THE ARGUMENTS FOR BOTH SIDES JUDGE RYAN RESERVED DECISION AND ADJOURNED COURT UNTIL TEN THIRTY AM JANUARY THIRD, NINETEEN FIFTY AT WHICH TIME HE WILL RESUME HEARINGS ON THE WIRE TAP ISSUE. AFTER ADJOURNMENT DEFENSE COUNSEL PALMER TOLD STRINE THAT HE WAS FILING THIS DATE BEFORE THE CCA IN WASHINGTON AN APPLICATION FOR A NEW TRIAL ON THE BASIS OF NEWLY DISCOVERED EVIDENCE, NAMELY THE USE OF WIRE TAPPING BY THE FBI IN ITS INVESTIGATION OF COPLON. FURTHER PALMER TOLD STRINE THAT HE WILL FILE AN ORIGINAL MOTION BEFORE THE SUPREME COURT OF THE U.S. SEEKING TO ENJOIN THE DEPARTMENT OF JUSTICE AND THE FBI FROM CONTINUING ACTS ILLEGAL UNDER PRESENT SUPREME COURT DECISIONS, PARTICULARLY REFERRING TO THE USE OF WIRE TAPPING.

SCHEIDT

cc - NY 65-14939

JMO:EG
65-14932

Approved: _____

Special Agent in Charge

Sent 116 PM Per SB

65-14932-745-8

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

December 29, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

On December 28, Mr. H. B. Fletcher of the Bureau called relative to our teletype of December 22 furnishing a summary of the developments at the pre-trial hearing in this case on that day. A portion of the teletype reflects that the judge asked SA T. Scott Miller if, as a member of the bar, he did not feel it his duty to call to the attention of the court in the trial at Washington that there were wire taps involved in this case. The witness replied that he did not feel so bound.

Mr. Fletcher advised that the Bureau wanted to be sure that the judge had asked this question. I informed him that the judge had taken over the questioning from Mr. PALMER inasmuch as the issue had been raised by PALMER, but PALMER's questions were circuitous and rambling. In order to clearly reflect the question and reply, a copy of the actual transcript of the testimony was borrowed from Mr. Whearty and the pertinent portions thereof were read to Mr. Fletcher's stenographer.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-746

F. B. I.
DEC 29 1949
N. Y. C.
ROUTED TO FILE

TS Miller

MR. SCHMIDT
MR. BELMONT
MR. WIELAN
MR. COLLIER
MR. GRANVILLE
MR. L. J. ...
MR. ...
SAULT
REVISOR
PROPERTY CLERK
TRAINING UNIT

Federal Bureau of Investigation
United States Department of Justice
New York, New York

December 30, 1949

MR. SCHEIDT
MR. TOLSON
MR. ELLAN
MR. COLLIER
MR. GILLIS
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WHELAN
MR. WYATT
MR. ZIEGLER
PROPERTY CLERK
TRAINING UNIT

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

This morning, I advised Mr. H. B. Fletcher of the Bureau that it had been decided to use clerk SOPHIE SALIBA, supervisor of the Translation Unit, to testify concerning the maintenance of the recordings and JOHN WARE to testify concerning the destruction of the discs at the pre-trial proceedings on next Tuesday.

A. J. TUOHY
Supervisor

cc - 65-14939 (Gubitchev)

AJT:CTC
65-14932

65-14932-747

F. B. I.
DEC 30 1949
N. Y. C.

TS Miller 48m

Federal Bureau of Investigation
United States Department of Justice

New York, New York

Dec. 30, 1949

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. PAPAN
NIGHT SUPERVISOR
MR. NICHOLS
MR. TUSTY
MR. WALSH
MR. WOOL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO

Re: JUDITH COPLON
ESPIONAGE - R

At 9:50 A. M., instant date, Mr. H. B. Fletcher of the Bureau called and stated he wanted to know whether or not we had given the COPLON reports, teletypes, etc., which are the only existing originals setting out tap information, to Mr. WHEARTY and Mr. KELLY. Mr. Fletcher also wanted to know what Messrs. Whearty and Kelly said about this material.

At 10:15 A. M. the same date, I called Mr. Fletcher back and put SA T. Scott Miller on the phone. SA Miller advised Mr. Fletcher that a short discussion about this material was had with the two government attorneys just before they left for Washington, D. C., at which time it was explained to them that the material in the envelope consisted of the particular pages in FBI reports setting out tap information, teletypes, letters, and office memoranda, which also set out tap information. It was explained to the attorneys that there were several items which had been omitted from the transcript. Messrs. Kelly and Whearty were told of the general nature of the information which had been omitted and they expressed no concern over this fact.

They requested that the material be placed in as chronological order as possible and placed in an envelope for delivery to the Judge. They wanted to obtain the wording on the outside of the envelope which had been given to the Court and contained the GUBITCHEV tap information. They will obtain this from the Clerk of the Court on Tuesday, 1/3/50, and probably at the noon recess the COPLON material will be turned over to them.

Mr. Fletcher was advised that he will be notified as soon as this is done.

ALBERT J. TUOHY, SA

AJT:MFB
65-14932
CC: NY File 65-14939

65-14932-748	
F. B. I.	
DEC 30 1949	
N. Y. C.	
ROUTED TO TS Miller	FILE Tm

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

December 30, 1949

MR. SCHEIDT
MR. BELMONT
MR. TOLAN
MR. CLEGG
MR. WHEARTY
MR. KELLEY
MR. RING
MR. GALT
MR. SAULS
MR. TINSOR
MR. LADD
MR. NICHOLS
MR. TRACY
MR. GEARTY
MR. MOHR
MR. WINTERROWD
PROPERTY CLERK
TRAINING UNIT

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

This afternoon, Mr. H. B. Fletcher of the Bureau called and advised that SOPHIE SALIBA, JOHN WARE and ASAC Belmont should be at the New York office at 3:00 pm on Monday, January 2, for a conference with Messrs. Whearty and Kelley. I reminded that it was New Year's Day. He was non-committal. Mr. Belmont and Supervisor Ring were so advised.

A. J. TUOHY
Supervisor

cc - 65-14939 (Gubitchev)

AJT:CTC
65-14932

65-14932-749

F. B. I.
DEC 30 1949
N Y C
ROUTED TO
Miller
8m

**Federal Bureau of Investigation
United States Department of Justice**

New York, New York

December 30, 1949

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

FRED STRYNE, SAAG, called this morning to advise that it had been decided to procure a new letter from the State Department to the Justice Department relative to the State Department's declaration that GUBITCHEV does not possess diplomatic immunity. Mr. STRYNE stated that a photostatic copy of the letter of March 11, 1949 from State to Justice had been read by Judge Ryan but the letter goes into considerable detail concerning the State Department's stand that GUBITCHEV should not be prosecuted because of possible reprisals against American diplomats in Russia. The judge feels that giving the defense a copy of the letter of March 11, 1949 with most of it blacked out would not be the best way to handle the matter. Accordingly the letter of March 11, 1949 is being eliminated entirely and a new letter substituted which will be obtained from the State Department.

A. J. TUOHY
Supervisor

cc - 65-14939 (Gubitchev)

AJT:CTC
65-14932

65-14932-750

F. B. I.
DEC 30 1949
N. Y. C.
ROUTED TO
TS Miller
THM

**Federal Bureau of Investigation
United States Department of Justice
New York 7, New York**

December 31, 1949

MEMO:

RE: JUDITH COPLON, et al
ESPIONAGE - R

At 11:00 A.M. instant date, Mr. FLETCHER of the Bureau called to advise that the Attorney General has requested that the petit jury panel for the month of January, 1950, be checked in connection with the above investigation by this office. Mr. FLETCHER was advised that this office has checked the jury panel to be called January 3, 1950 and that the jury panel to be called January 16, 1950 will be available to this office during the week ending January 6, 1950. He was further advised that the check made by this office consisted of an indices and credit bureau check.

GERALD A. MC CARVILLE, SA

CC GUBITCHEV

GAMC:ADV

65-14932-751

F. B. I.	
DEC 31 1949	
N. Y. C.	
ROUTED TO	FILE

65-14722-78
FBI - NEW YORK
JAN 3 1950
S. Miller

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

----- NEW YORK, N.Y.
JAN. 3, 1950

Transmit the following Teletype message to: BUREAU AND WASHINGTON FIELD--URGENT

JUDITH COPLON, ESPIONAGE - R. AT MORNING SESSION THERE WAS RESUMED THE HEARING ON THE WIRETAPPING ISSUE IN THIS CASE. AT OUTSET THE GOVERNMENT PUT IN EVIDENCE THE FOLLOWING: ORIGINAL DISCS RECORDING PHONE CONVERSATION FROM COPLON RESIDENCE TAP IN WASHINGTON. DUBS OF THE CONVERSATIONS ON THE ORIGINAL DISCS. HANDWRITTEN NOTES OF MONITORS OF FOREGOING CONVERSATIONS. TYPEWRITTEN LOG OF MONITORS OF FOREGOING CONVERSATIONS. VERBATIM TRANSCRIPT OF ALL CONVERSATIONS RECORDED OVER THE COPLON RESIDENCE TAP IN WASHINGTON, DC. DEFENSE COUNSEL PALMER IMMEDIATELY THEREAFTER READ INTO RECORD A PORTION OF THE TESTIMONY OF SA RICHARD E. BRENNAN, WHO WAS ON THE STAND AT THE CLOSE OF THE LAST SESSION. THAT PORTION OF BRENNAN'S TESTIMONY INDICATED THAT, IN ANSWERS TO QUESTIONS AT THE WASHINGTON TRIAL, HE STATED HE HAD NO KNOWLEDGE OF WIRETAPPING BY AGENTS OF THE BUREAU. PALMER DID NOT INDICATE A DESIRE TO FURTHER QUESTION THE WITNESS BRENNAN. NEXT THE GOVERNMENT INDICATED A DESIRE TO CALL AS WITNESSES THREE WASHINGTON AGENTS TO SERVE AS IDENTIFYING WITNESSES FOR THE EXHIBITS NOTED ABOVE. THE FIRST WITNESS WAS SA C. DALE DYER, WHO IDENTIFIED CERTAIN OF THE GOVERNMENT EXHIBITS. HE WAS QUESTIONED BY BOTH PALMER AND POMERANTZ REGARDING THE ROUTING OF MONITORING AND THE PROCEDURE OF MAKING HANDWRITTEN NOTES AND TYPEWRITTEN LOGS. THE WITNESS WAS ASKED BY POMERANTZ AS TO WHETHER HE HAD SUPERVISION AND CUSTODY OF PHONOGRAPHIC RECORDS AFTER MONITORING. THE WITNESS STATED HE DID NOT. THE WITNESS WAS ASKED THE NATURE OF HIS DUTIES AND ANSWERED ^{HAD} HE ~~WAS~~ ASSIGNED ~~TO~~ A GROUP ASSIGNED TO ~~THE~~ TASK ^{OF} THE MONITORING OF THE COPLON TELEPHONE. WITNESS ANSWERED, IN ANSWER TO

JMO:MFB
65-14932
CC: 65-14939

Approved: _____

Special Agent in Charge

Sent _____

Per _____

240 / P M
65-14932-753-8

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

-2-

Transmit the following Teletype message to:

QUESTION THAT HE HAD NO KNOWLEDGE OF THE ROUTINE OF DESTRUCTION OF
PHONOGRAPH RECORDS. NEXT WITNESS WAS SA ROBERT S. ^{MUGAVIN}~~MUGAVIN~~ OF THE
WASHINGTON FIELD OFFICE, WHO WAS CALLED BY THE GOVERNMENT AS AN
IDENTIFYING WITNESS CONCERNING THE DUBS WHICH HAD BEEN PUT IN EVIDENCE.
THEREAFTER THE WITNESS TESTIFIED THAT HE HAD ALSO ACTED AS A MONITOR OF PHONE
CALLS FROM AND TO THE COPLON RESIDENCE IN WASHINGTON, DC. DEFENSE COUNSEL
PALMER QUESTIONED THE WITNESS AS TO WHETHER HE HAD MONITORED ON CERTAIN
CRITICAL DATES WHEN COPLON CALLED NYC INDICATING HER INTENTION TO TRAVEL
TO THAT CITY. AT PALMER'S REQUEST THE JUDGE AGREED HE WOULD HAVE TO
REVIEW ALL VERBATIM TRANSCRIPTS AND LOGS OF MONITORS IN ORDER TO SEE
WHAT PORTIONS OF SUCH WERE TO BE GIVEN TO DEFENSE COUNSEL FOR PURPOSES
OF CROSS EXAMINATION OF MONITORING EMPLOYEES. IN THIS CONNECTION THE
JUDGE STATED THAT, AFTER FINISHING WITH WITNESSES TO IDENTIFY GOVERNMENT
EXHIBITS, HE MIGHT ADJOURN UNTIL SUCH TIME AS HE HAD HAD AN OPPORTUNITY
TO FINISH THE INSPECTION OF MATERIAL RECEIVED OVER THE COPLON PHONE IN
WASHINGTON. COURT RECESSED UNTIL TWO TEN PM THIS DATE..

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.
JANUARY 3, 1950

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. AT OUTSET OF AFTERNOON SESSION, DEFENSE COUNSEL POMERANTZ APPLIED TO COURT FOR A SUBPOENA TO SECRETARY OF STATE DEAN ACHESON. POMERANTZ STATED HE DESIRED TO QUESTION ACHESON REGARDING STATEMENTS SET OUT IN LETTER FROM THE SECRETARY OF STATE TO THE ATTORNEY GENERAL REGARDING GUBITCHEV'S LACK OF DIPLOMATIC STATUS WHICH WAS MADE AN EXHIBIT IN THE ARGUMENT ON DIPLOMATIC IMMUNITY. (POMERANTZ STATED THAT STATE DEPT. LETTER WAS NOT SWORN TO BY THE SECRETARY OF STATE, NOT CORROBORATED AND CONTAINED FALSE STATEMENTS. REGARDING ALLEGED FALSE STATEMENTS, POMERANTZ SPECIFICALLY REFERRED TO STATEMENT IN LETTER INDICATING THAT GUBITCHEV HAD ARRIVED IN U.S. AS A MEMBER OF SOVIET DELEGATION TO UNITED NATIONS. POMERANTZ' APPLICATION WAS DENIED BY JUDGE RYAN. THEREAFTER JUDGE RYAN ADVISED DEFENSE COUNSEL PALMER THAT AT CLOSE OF WIRE TAPPING HEARING HE WOULD VACATE HIS EARLIER ORDER GIVING TRANSCRIPTS OF PROCEEDINGS AT GOVERNMENT EXPENSE TO PALMER ON BASIS OF COPLON'S INDIGENCY. JUDGE STATED THAT IN ANY PROCEEDINGS THEREAFTER PALMER MUST MAKE APPLICATION FOR FREE TRANSCRIPT ON DAILY BASIS. JUDGE INDICATED THAT HIS ACTION IN THIS REGARD WAS RESULT OF A FEELING THAT PALMER WAS UNDULY DRAGGING OUT COURT PROCEEDINGS BY UNNECESSARY AND OVER-LENGTHY QUESTIONING. THEREAFTER, FURTHER EXAMINATION OF SE ROBERT S. MUGAVIN WAS CONDUCTED BY BOTH PALMER AND POMERANTZ WITH SPECIAL REFERENCES TO WHETHER OR NOT HE WAS REQUIRED TO FILL OUT A REPORT OF HIS DAILY ACTIVITIES. WITNESS INDICATED HE WAS NOT SO REQUIRED. NEXT

WITNESS WAS SE ROY F. RODMAN OF WFO WHO IDENTIFIED THE DUBS FROM ORIGINAL

JMO'M:CTC
65-14932

cc - 65-14939 (Gubitchev)

Approved: _____

Special Agent in Charge

Sent 11 06 PM

Per _____

65-14932-754

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

1/3/50

Transmit the following Teletype message to:

PHONOGRAPHIC DISCS ON WHICH CONVERSATIONS WERE RECORDED COMING OVER COPLON'S RESIDENCE TELEPHONE IN WASHINGTON. DEFENSE COUNSEL PALMER BROUGHT OUT THAT WITNESS HAD ALSO BEEN A MONITOR OF PHONE CONVERSATIONS ON COPLON'S RESIDENCE IN WASHINGTON. HE WAS QUESTIONED AS TO PERIOD OF MONITORING, THE NUMBER OF TIMES AND WITH WHOM THE MONITORING WAS CONDUCTED. WITNESS WAS QUESTIONED ABOUT THE ROUTINE OF MONITORING AND THE POSSIBILITY THAT CERTAIN NOTES MADE AT TIME OF MONITORING MIGHT HAVE BEEN DESTROYED BY HIM. WITNESS WAS ASKED BY PALMER IF HE WERE AN EMPLOYEE OF THE TELEPHONE COMPANY. COURT SUSTAINED OBJECTION TO THIS QUESTION. THEREAFTER COURT PUT IN EVIDENCE NAMES OF WFO MONITORS OF TELEPHONE CALLS WHICH INDICATED COPLON'S INTENTION TO TRAVEL TO NYC. JUDGE INDICATED THAT TOMORROW MORNING COURT WILL CONVENE AT TEN THIRTY FOR SOLE PURPOSE OF PERMITTING GOVERNMENT TO ENTER INTO EVIDENCE ADDITIONAL EXHIBITS AND TO SUBMIT PROOF THEREOF. JUDGE STATED THAT THEREAFTER HE WOULD SPEND WHATEVER TIME WAS NECESSARY FOR PURPOSE OF REVIEWING GOVERNMENT EXHIBITS WHICH CONSIST OF PHONOGRAPHIC DISCS, DUBS AND VERBATIM TRANSCRIPTS OF TELEPHONE AND MICROPHONE COVERAGE IN WASHINGTON. COURT RECESSED THREE THIRTY PM THIS DATE UNTIL TEN THIRTY AM TOMORROW.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.
JANUARY 4, 1950

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT
JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. AFTERNOON SESSION
COMMENCED AT TWO TWENTY, AT WHICH TIME IT WAS DECIDED THAT A RECORDING OF
DEFENDANT COPLON'S VOICE WOULD BE MADE FOR PURPOSES OF COMPARISON BY JUDGE
WHEN HE WAS IN PROCESS OF LISTENING TO RECORDS OF INTERCEPTED TELEPHONE
CALLS WHEREIN COPLON WAS A PARTICIPANT. LATER IN THIS SESSION, IT WAS
DECIDED THAT RECORDING OF COPLON'S VOICE WOULD BE DONE BY OUTSIDE COMPANY
ENGAGED IN RECORDING BUSINESS. EXACT ARRANGEMENTS FOR SUCH HAVE NOT BEEN
MADE AS YET. EXAMINATION OF WITNESS INSPECTOR H. B. FLETCHER CONTINUED
THEREAFTER. UNDER QUESTIONING BY PALMER, WITNESS STATED HE HAD BEEN TOLD
THAT EVERYTHING TO DO WITH INTERCEPTION OF COPLON'S VOICE ON TELEPHONES AND
MICROPHONE HAD BEEN PUT IN EVIDENCE BY GOVERNMENT AND THAT WHAT HAD BEEN
PUT IN EVIDENCE HAD BEEN GATHERED UNDER HIS INSTRUCTIONS AND THAT HE FELT
IT WAS COMPLETE. THEREAFTER, WITNESS WAS QUESTIONED CONCERNING HIS AFFIDAVIT
WHICH SET OUT THE PERIODS OF MONITORING OF THE WFO AGENTS. WITNESS STATED
THAT DATES AND HOURS OF MONITORING BY INDIVIDUAL AGENTS AS SET OUT IN HIS
AFFIDAVIT HAD BEEN BASED ON THE HANDWRITTEN LOGS OF THE MONITORING AGENTS
AND THE "SIGN-IN" REGISTER OF THE WFO. PALMER WAS PREVENTED BY COURT FROM
QUESTIONING WITNESS AT THIS TIME AS TO HIS KNOWLEDGE OF INTELLIGIBILITY OF
MICROPHONE RECORDS. NEXT WITNESS WAS SA C. DALE DYER WHO WAS CALLED AS
AN IDENTIFYING WITNESS AS TO THE VERBATIM TRANSCRIPT TAKEN FROM DUBS OF
COPLON'S OFFICE TELEPHONE CONVERSATIONS. COURT RECESSED AT THREE THIRTY
JUDGE STATING THAT HE WOULD HOLD A BRIEF SESSION AT TWO PM TOMORROW FOR

JMO:M:CTC
65-14932

cc - 65-14939 (Gubitchev)
Approved: *E. J. [Signature]*
Special Agent in Charge

Sent *6:18 P* M Per *cy*

65-14932-755

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

1/4/50

Transmit the following Teletype message to:

PURPOSE OF INFORMING DEFENSE COUNSEL AS TO WHAT MATERIAL, IF ANY, WOULD BE RELEASED FOR THEIR INSPECTION. JUDGE INDICATED THAT HE WOULD NOT HEAR ANY FURTHER EVIDENCE AT THAT TIME BUT WOULD THEN RECESS SO THAT HE MIGHT CONTINUE HIS REVIEW OF GOVERNMENT EXHIBITS AS TO WIRE TAPPING AND MICROPHONE COVERAGE.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
JANUARY 4, 1950

Transmit the following Teletype message to: BUREAU
WASHINGTON FIELD URGENT

JUDITH COPLON; ESPIONAGE - R. AT OUTSET OF MORNING SESSION THIS DATE, DEFENSE COUNSEL POMERANTZ ARGUED FOR ONE HALF HOUR TO THE EFFECT THAT STATEMENTS OF SECRETARY OF STATE ACHESON IN LETTER TO AG, WHICH WAS PUT IN EVIDENCE IN THIS CASE, CONTAINED A NUMBER OF PALPABLE MISSTATEMENTS OF FACT. AT THE CONCLUSION OF POMERANTZ' ARGUMENTS, JUDGE STATED HE WAS RESERVING HIS DECISION UNTIL LATER ON THE ISSUE OF DIPLOMATIC IMMUNITY. THEREAFTER, DEFENSE COUNSEL PALMER ASKED FOR THE INVESTIGATIVE REPORTS ON COPLON, WHICH INCLUDED SUMMARIES OF INFORMATION ~~RECEIVED~~ FROM INTERCEPTED PHONE CALLS. ~~PHONOGRAPHIC~~. GOVERNMENT COUNSEL KELLY STATED THAT ALL INTERCEPTED INFORMATION HAD EITHER BEEN PUT IN EVIDENCE ALREADY OR WAS ABOUT TO BE PUT IN EVIDENCE, AND FURTHER, THAT SOME INVESTIGATIVE REPORTS ON COPLON CONTAINED NO INFORMATION FROM TELEPHONE INTERCEPTS. THE JUDGE INSTRUCTED THAT A BUREAU OFFICIAL BE PUT ON THE STAND TO TESTIFY TO THE COMPLETENESS OF THE INFORMATION PUT IN EVIDENCE FROM TELEPHONE INTERCEPTIONS AND MICROPHONE INTERCEPTIONS, AND THE JUDGE INSTRUCTED FURTHER THAT ALL INVESTIGATIVE REPORTS ON COPLON BE SUBMITTED FOR HIS INSPECTION, ALTHOUGH SOME OF THOSE REPORTS CONTAINED D NO INFORMATION FROM INTERCEPTIONS. THE JUDGE STATED THAT HE WOULD REVIEW THE REPORTS AND IF THERE WAS NO ADDITIONAL PERTINENT TO THIS ISSUE INFORMATION THEREIN, HE WOULD DENY ACCESS TO DEFENSE COUNSEL. THE GOVERNMENT THEN PUT IN EVIDENCE UNDER Telephone conversations SEAL AS COURT EXHIBITS VERBATIM TRANSCRIPTS OF ALL INTERCEPTED PHONOGRAPHIC

cc NY 65-14939

Approved: Eda

Special Agent in Charge

Sent 527p M

Per JH

JMO:MTH
65-14932

65-14932-7564

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
PAGE TWO

Transmit the following Teletype message to:

AT COPLON'S WASHINGTON [REDACTED] OFFICE, IN INSTANCES WHERE COPLON WAS AND WAS NOT A PARTICIPANT OF THE CONVERSATION. GOVERNMENT ALSO PUT IN EVIDENCE THE ORIGINAL PHONOGRAPHIC DISKS AND DUBS OF INTERCEPTED TELEPHONE CONVERSATIONS AT COPLON'S WASHINGTON [REDACTED] OFFICE. ALSO PUT IN EVIDENCE WAS THE ORIGINAL AND DUBS OF MICROPHONE CONVERSATIONS IN COPLON'S OFFICE. VERSATIM TRANSCRIPTS OF MICROPHONE CONVERSATIONS WERE NOT PUT IN EVIDENCE WITH THE EXPLANATION THAT THE MAJORITY OF SUCH WERE UNINTELLIGIBLE. THE FIRST WITNESS CALLED BY THE GOVERNMENT WAS SA ROBERT E. LEONARD OF THE WFO, WHO WAS CALLED AS AN IDENTIFYING WITNESS CONCERNING THE ABOVE MENTIONED EXHIBITS. DEFENSE COUNSEL PALMER THEN EXAMINED THE WITNESS AS TO THE METHOD OF DUBBING AND AS TO THE INTELLIGIBILITY OF THE PHONOGRAPHIC DISKS OF MICROPHONE CONVERSATIONS. HE WAS FURTHER QUESTIONED AS TO HIS RECOLLECTION OF MONITORING THE OFFICE INSTALLATIONS ON COPLON. WITNESS STATED THAT HE (3) WORKED AS SUCH A MONITOR ON ONLY ONE DAY, FEBRUARY TWENTY FIVE, FORTY NINE. THE NEXT WITNESS WAS INSPECTOR HOWARD B. FLETCHER, CALLED BY THE GOVERNMENT TO TESTIFY AS TO THE COMPLETENESS OF ALL TELEPHONE AND MICROPHONE EXHIBITS SET IN EVIDENCE BY THE GOVERNMENT. PALMER THEN QUESTIONED THE WITNESS AS TO THE EXTENT OF HIS KNOWLEDGE OF THE DESTRUCTION OF PHONOGRAPHIC RECORDS IN THE NY OFFICE, AND AS TO HOW THE WITNESS WAS CERTAIN THAT NONE OF THE PHONOGRAPHIC DISKS MADE AT THE WFO HAD NOT BEEN DESTROYED. FOLLOWING QUESTION BY PALMER AS TO THE WITNESS'S RECOLLECTION OF HIS INSTRUCTIONS THAT TELEPHONE TAPS SHOULD BE INSTALLED ON COPLON, THE JUDGE INSTRUCTED THE

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
PAGE THREE

Transmit the following Teletype message to:

WITNESS TO EXAMINE THE BUREAU FILES FOR CORRESPONDENCE OR MEMORANDA OF THE WITNESS: SETTING FORTH SUCH INSTRUCTIONS. THEREAFTER, THE JUDGE, ON HIS OWN INITIATIVE, QUESTIONED THE WITNESS IN GENERAL AS TO THE NATURE AND EXTENT OF PHYSICAL SURVEILLANCES ON COPLON FROM JANUARY SIX UNTIL THE TIME OF HER ARREST ON MARCH FOUR. THE WITNESS STATED THAT SURVEILLANCE WAS ALMOST CONTINUOUS EXCEPT WHILE COPLON WAS AT WORK IN HER OFFICE. THE JUDGE ASKED THAT THE WITNESS PRODUCE FOR HIM A COMPLETE LIST SETTING OUT THE DATES AND HOURS WHEN COPLON WAS NOT UNDER SURVEILLANCE BETWEEN JANUARY SIX AND THE TIME OF HER ARREST ON MARCH FOUR. THE JUDGE STATED THAT HE HAD REVIEWED ~~CERTAIN~~ ^{CERTAIN} ~~OTHER~~ ^{NAME/4,} EXHIBITS PUT IN BY THE GOVERNMENT, ~~INCLUDING~~ THE VERBATIM TRANSCRIPTION OF TELEPHONE CONVERSATION MONITORED FROM COPLON'S WASHINGTON RESIDENCE, HANDWRITTEN LOGS OF MONITORS AND TYPED LOGS OF MONITORS. HE STATED THAT ALTHOUGH MOST OF THE MATERIAL CONTAINED IN THE ABOVE WERE NOT MATERIAL OR RELEVANT, NEVERTHELESS HE WAS GOING TO PERMIT DEFENSE COUNSEL TO HAVE COMPLETE INSPECTION. THE JUDGE STATED THAT HE HAD NOT AS YET HAD AN OPPORTUNITY TO LISTEN TO THE OTHER EXHIBITS PUT IN YESTERDAY, WHICH INCLUDED ORIGINAL PHONOGRAPH DISKS AND DUBS THEREOF. COURT RECESSED UNTIL TWO TWENTY THIS DATE.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
JAN. 5, 1950

MR. SCHEIDT	ED 36
MR. BELMONT	
MR. WHELAN	
MR. COLLIER	
MR. GRANVILLE	
MR. HUGHES	
MR. KENNEDY	
MR. LEVVIS	
MR. MARCETEAU	
MR. RAGAN	
NIGHT SUPERVISOR	
MR. KING	
FIELD - URGENT	
MR. TUCET	
MR. WALSH	
MR. JUDGE	
CHIEF CLERK	
TRAINING UNIT	

Transmit the following Teletype message to: BUREAU AND WASHINGTON

JUDITH COPLON, ESPIONAGE - R. COURT CONVENED THIS DATE AT TWO PM. STATED HE HAD REVIEWED A NUMBER OF THE EXHIBITS PUT IN BY THE GOVERNMENT AND WOULD NOW MAKE HIS RULING AS TO ACCESS BY DEFENSE COUNSEL CONCERNING CERTAIN OF THOSE EXHIBITS. CONCERNING THE ORIGINAL RECORDS CONTAINING INTERCEPTED CONVERSATIONS FROM THE COPLON RESIDENCE IN WASHINGTON, THE JUDGE STATED THESE RECORDS CONTAINED CUTS OF UNRELATED CASES. HE STATED THAT CONVERSATIONS RELATING TO THE DEFENDANT COPLON HAD BEEN SET OUT IN VERBATIM SUMMARIES MADE FROM THESE RECORDS AND WERE THEREBY ALREADY AVAILABLE TO THE DEFENDANTS. ACCORDINGLY, HE WAS NOT MAKING THESE PARTICULAR RECORDS ACCESSIBLE TO THE DEFENDANTS OR THEIR COUNSEL. HE STATED HE WAS MAKING DUBS OF ALL COPLON CONVERSATIONS FROM HER APARTMENT TELEPHONE AVAILABLE TO THE DEFENDANT. HE STATED HE WAS MAKING ACCESSIBLE TO THE DEFENDANTS AND THEIR COUNSEL CUTS RELATING TO COPLON WHICH APPEAR ON THE ORIGINAL RECORDS CONTAINING TELEPHONE AND MICROPHONE CONVERSATIONS FROM COPLON'S OFFICE. THE JUDGE STATED THAT THE CONVERSATIONS PARTICIPATED IN BY COPLON HAVE BEEN SET OUT IN COURT EXHIBIT ONE A AND IT WAS TO THOSE CUTS AND THOSE ALONE THAT DEFENSE COUNSEL COULD HAVE ACCESS. HE FURTHER PERMITTED COMPLETE ACCESS OF DEFENSE COUNSEL TO DUBS OF CONVERSATIONS PARTICIPATED IN BY COPLON IN HER OFFICE AND OVER HER OFFICE TELEPHONE. HE DENIED ACCESS TO DUBS OF CONVERSATIONS ON THE OFFICE PHONE OF COPLON WHEREIN SHE WAS NOT A PARTICIPANT. HE PERMITTED COMPLETE ACCESS TO DEFENSE COUNSEL OF DUBS MADE OF OFFICE CONVERSATIONS OF COPLON FROM THE MICROPHONE UP UNTIL THE PERIOD OF MARCH FOUR, FORTY-NINE.

JMO:MFB
65-14932
CC: 65-14939

Approved: _____

Special Agent in Charge

Sent 6:11 PM

Per 87

65-14932-7578

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

-2-

Transmit the following Teletype message to:

THE JUDGE STATED THAT HE HAD REVIEWED THE COURTS EXHIBIT NO. FORTY SIX WHICH CONTAINED ALL RECORDS OF INFORMATION OBTAINED FROM THE COPLON HOME TELEPHONE TAP IN NYC. HE STATED THAT THE INFORMATION IN THIS EXHIBIT DID NOT DIFFER SUBSTANTIALLY OR MATERIALLY FROM THE TESTIMONY OF WITNESSES OR FROM THE EARLIER SUMMARY OF INTERCEPTED INFORMATION PUT IN BY THE GOVERNMENT, THAT EXHIBIT NO. FORTY SIX CONTAINED INFORMATION CONNECTED WITH THE NATIONAL SECURITY AND, FOR THAT REASON, HE WAS DENYING ACCESS TO DEFENSE COUNSEL. REGARDING THE MONITORS HANDWRITTEN LOGS OF THE TELEPHONE AND MICROPHONE INTERCEPTIONS AT COPLON'S OFFICE, THE JUDGE STATED HE WAS WITHHOLDING ONLY A PART THEREOF WHICH HE FELT REFERRED TO CONVERSATIONS TO WHICH THE DEFENSE COUNSEL SHOULD NOT HAVE ACCESS IN THE INTEREST OF NATIONAL SECURITY. CONCERNING THE MONITORS TYPED SUMMARY OF CONVERSATIONS FROM COPLONS OFFICE AND OVER HER OFFICE TELEPHONE, HE STATED HE WAS DENYING ACCESS TO DEFENSE COUNSEL BECAUSE OF CERTAIN CONFIDENTIAL NOTATIONS THEREON THOUGH CERTAIN PAGES WERE TO BE EXTRACTED AND ACCESS GRANTED TO DEFENSE COUNSEL. THE JUDGE DID NOT SPECIFY WHICH PAGES WERE TO BE EXTRACTED, BUT HAD ALREADY PLACED CERTAIN PAGES IN A CERTAIN ENVELOPE FOR INSPECTION BY DEFENSE COUNSEL. AS TO THE VERBATIM TRANSCRIPT OF ALL TELEPHONE CONVERSATIONS FROM COPLON'S OFFICE, WHERE COPLON WAS A PARTICIPANT, HE STATED HE WAS PERMITTING ACCESS TO ALL BUT CERTAIN PORTIONS WHICH CONCERNED TELEPHONE CONVERSATIONS BY THE DEFENDANT IN CONNECTION WITH HER OFFICIAL DUTIES WHICH INVOLVED COMMUNICATIONS WITH OTHER GOVERNMENT ORGANIZATIONS. 3

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
-3-

Transmit the following Teletype message to:

HE DENIED ACCESS TO THE VERBATIM TRANSCRIPT OF OFFICE TELEPHONE CONVERSATIONS WHERE COPLON WAS NOT A PARTICIPANT. THEREAFTER, PALMER CALLED AS A WITNESS JACK W. MYERSON, PRESIDENT OF MUSICRAFT, INC., NYC. PALMER MADE AN EXPERT OUT OF THIS WITNESS AND QUESTIONED THE WITNESS AS TO PROCESS OF CUTTING RECORDS. SEVERAL HYPOTHETICAL QUESTIONS PUT TO THE WITNESS BY PALMER WERE EXCLUDED BY THE JUDGE AS IRRELEVANT. HE THEN CALLED MR. ROBERT SOLBY OF J. J. CONNOLLY CO., FOUR SIXTY TENTH AVE., NYC. WITNESS STATED HE WAS AUDIO DIRECTOR OF THE ABOVE COMPANY AND WAS FAMILIAR WITH MICROPHONES, ACETATE RECORDS AND WIRE RECORDINGS. HE WAS SHOWN THE DISCS PERTAINING TO THE MICROPHONE INSTALLATION AND TESTIFIED, FROM A HASTY EXAMINATION, THAT THEY APPEARED TO BE WELL CUT AND TO HAVE BEEN MADE IN EXPERT FASHION. HE WAS ASKED BY PALMER WHETHER OR NOT IT WAS POSSIBLE TO DESTROY PORTIONS OF THESE RECORDINGS SO AS TO MAKE THEM INDISTINGUISHABLE AND STATED THAT THIS COULD EASILY BE DONE. HE WAS THEN ASKED A SERIES OF QUESTIONS BY PALMER ON THE BASIS OF A HYPOTHETICAL QUESTION AS TO THE EFFICIENCY OF A MICROPHONE, BUT WAS UNABLE TO ANSWER THE QUESTION PUT BY PALMER AND WAS THEN QUESTIONED BY THE JUDGE WHO ELICITED TESTIMONY THAT THE EFFICIENCY OF A MICROPHONE COULD BE AFFECTED IN NUMEROUS WAYS. AT THE CONCLUSION OF SOLBY'S TESTIMONY, PALMER INDICATED THAT HE WOULD HAVE HIM APPEAR LATER IN COURT TO LISTEN TO THE MICROPHONE RECORDINGS FOR THE PURPOSE OF OFFERING AN OPINION AS TO THEIR UNINTELLIGABILITY. POMERANTZ REQUESTED THE COURT TO ISSUE A SUBPOENA TO THE AMERICAN TELEPHONE AND TELEGRAPH CO. DIRECTING THE PRODUCTION OF RECORDS WITH A VIEW TO PROVING THAT THE TELEPHONE TAP ON

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

-4-

Transmit the following Teletype message to:

GUBITCHEV WAS INSTALLED CONSIDERABLY IN ADVANCE OF FEBRUARY FIRST, FORTY NINE. MR. KELLY OBJECTED TO THIS AND JUDGE RYAN DENIED THE REQUEST, STATING THAT HE FELT THE TIME HAD ARRIVED FOR THE GOVERNMENT TO PROCEED WITH ITS PROOF THAT THE GOVERNMENT HAD OBTAINED INFORMATION WITH RELATION TO THE VARIOUS TRIPS MADE BY THE DEFENDANT FROM SOURCES INDEPENDENT OF TECHNICALS. THE COURT GRANTED PERMISSION TO POMERANTZ TO RENEW HIS REQUEST FOR SUBPOENA AT A LATER DATE. BY PERMISSION OF THE COURT A ROOM WAS MADE AVAILABLE FOR DEFENDANT COPLON WHERE IT WAS DIRECTED THAT A WIRE RECORDING OF HER VOICE BE MADE BY MR. ROBERT SOLBY, DESCRIBED ABOVE. COURT WAS ADJOURNED UNTIL TEN THIRTY AM MONDAY NEXT FOR THE PURPOSE OF PERMITTING DEFENSE COUNSEL OPPORTUNITY TO REVIEW THE VARIOUS MATERIAL ADMITTED IN EVIDENCE AND WHICH THEY HAD NOT HAD PREVIOUS OPPORTUNITY TO EXAMINE. 15

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.
JANUARY 9, 1950

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. TODAY'S SESSION COMMENCED AT TEN THIRTY AM. DEFENSE COUNSEL PALMER MADE APPLICATION FOR PHOTOSTATIC COPIES OF HANDWRITTEN NOTES OF MICROPHONE MONITOR IN WASHINGTON FOR PURPOSES OF ANALYSIS. JUDGE DENIED APPLICATION. THEREAFTER BOTH PALMER AND POMERANTZ MADE APPLICATION TO COURT FOR RETURN AS A WITNESS OF SA LYNN W. BEDFORD WHO MONITORED CONVERSATIONS OVER MICROPHONE IN COPLON'S OFFICE. JUDGE DENIED APPLICATION BUT GAVE PERMISSION TO DEFENSE COUNSELS TO MAKE FURTHER APPLICATION AFTER GOVERNMENT'S EVIDENCE IS IN ON THIS ISSUE. THEREAFTER DEFENSE COUNSEL POMERANTZ REQUESTED THAT HE BE PERMITTED BY JUDGE TO HAVE THE MICROPHONE RECORDS, MOST OF WHICH ARE UNINTELLIGIBLE, TO BE TAKEN TO AN OUTSIDE LABORATORY FOR STUDY AND TESTS BY EXPERTS TO DETERMINE IF THEY HAD BEEN MUTILATED. JUDGE STATED THAT POMERANTZ SHOULD SUBMIT PROOF, BY WAY OF AFFIDAVIT, AS TO THE NATURE OF SUCH TESTS AND WHAT SUCH TESTS WOULD PROVE. JUDGE STATED THAT THEREAFTER HE WOULD RULE ON THIS APPLICATION OF POMERANTZ BUT ADDED THAT IF HE RULED IN AFFIRMATIVE SUCH TESTS WOULD HAVE TO BE MADE IN PRESENCE OF GOVERNMENT REPRESENTATIVE. GOVERNMENT THEN PUT IN FOLLOWING EXHIBITS WHICH WERE TAKEN BY JUDGE AS EXHIBITS OF THE COURT FOR ITS OWN INSPECTION: ONE, COPIES OF ALL INVESTIGATIVE REPORTS FROM ALL BUREAU OFFICES REGARDING COPLON AND GUBITCHEV. TWO, BUREAU RECORDS OF DATES OF INSTALLATION AND DISCONTINUANCE OF TELEPHONE TAPS AND MICROPHONE INSTALLATIONS ON BOTH COPLON AND GUBITCHEV. THREE, SCHEDULE OF DAYS AND HOURS COPLON WAS UNDER SURVEILLANCE FROM INCEPTION OF CASE UNTIL TIME OF HER ARREST.

JMO:M:CTC

65-14932

cc - 65-14939 (Gubitchev)

Approved: *S. L.*

Special Agent in Charge

Sent *149* PMPer *DB*

65-14932-758-8

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

-----2-----

1/9/50

Transmit the following Teletype message to:

JUDGE STATED THAT ALL THESE EXHIBITS WOULD BE FOR HIS INSPECTION AND THAT AFTER SUCH INSPECTION HE WOULD MAKE HIS RULING AS TO WHETHER THEY WOULD BE ACCESSIBLE TO DEFENSE COUNSEL. AT ELEVEN THIRTY AM JUDGE RYAN ADJOURNED FURTHER HEARINGS UNTIL TEN THIRTY AM TOMORROW DUE TO ILLNESS OF SAAG KELLEY. THIS AFTERNOON AT TWO PM, IN JUDGE'S CHAMBERS AND UNDER HIS SUPERVISION, EXPERTS BROUGHT IN BY BOTH PALMER AND POMERANTZ WILL MAKE EXAMINATION OF ACTUAL MICROPHONE RECORDINGS MADE IN WASHINGTON. BUREAU REPRESENTATIVE WILL BE PRESENT DURING TIME OF SUCH EXAMINATION. POMERANTZ WAS PERMITTED BY JUDGE TO PUT IN EVIDENCE ON ISSUE OF DIPLOMATIC IMMUNITY LETTER FROM SOVIET AMBASSADOR IN WASHINGTON TO SECRETARY OF STATE ATTACKING VALIDITY OF STATEMENTS CONTAINED IN LETTER FROM SECRETARY OF STATE TO ATTORNEY GENERAL ON ISSUE OF DIPLOMATIC IMMUNITY.

SCHEIDT

Approved: _____
Special Agent in Charge.

Sent _____ M Per _____

Federal Bureau of Investigation
United States Department of Justice

New York, New York

January 6, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WEAVER
MR. WILSON
MR. YERGEN
MR. ZIEGLER
MR. C. L. LAK
PROPERTY CLERK
TRAINING UNIT
ADVISOR

At 5:00 pm today, I called Mr. H. B. Fletcher of the Bureau and, in his absence, advised Mr. Leo Laughlin that the hearing was continued today in Judge Ryan's chambers, starting about 2:00 pm, for the purpose of enabling ARCHIBALD PALMER to listen to the dubs and original recordings of the tap and microphone surveillance on COPLON's office. PALMER had present a so-called expert on recordings who had brought along a play-back machine. However, the machine was geared to 78 revolutions and would not take the recordings. Therefore, at the request of the court, we furnished a Presto play-back unit geared to 33-1/3 revolutions. I advised Mr. Laughlin that the expert was present to see if he could detect any tamperings with the recordings. PALMER and COPLON were present and no one was there representing GUBITCHEV. Also present were Mr. Whearty and Mr. Kelly, Supervisor Granville, SA Robert Leonard of the Washington Field office and myself. Agent Leonard is the one who prepared the dubs and he handled the playing of the recordings. After the first dub, they went directly to the originals and played from the originals as the judge called them off from the exhibit by cut and record number. The court was working from the handwritten log. They started with March 4th, played a number of cuts and then worked back as far as February 1st or the latter part of January.

I advised Mr. Laughlin that PALMER played only a few cuts of the telephone calls but insisted that the microphone cuts be played and made a great to-do over the fact that they were inaudible and unintelligible and over the fact that some conversations were recorded and others were not. His purpose in this was to reflect that either these were not the original recordings or some conversations had been removed or obliterated. The judge did not seem to place any significance on these comments by PALMER. The hearing was discontinued at 4:45 pm and PALMER indicated he would request a continuance.

Mr. Laughlin was advised that the one important point that PALMER raised was that the handwritten log and Government exhibit #2, which is a summary of the handwritten log, showed no activity on this tap or microphone from February 4 to February 11. The judge said that when Mr. Fletcher resumed the stand he would be asked the reason therefor. I advised Mr. Laughlin that we were going down to talk to Mr. Whearty and Mr. Kelly and ask them whether they want the report on the jury panel check submitted to the court along with the other reports and that I would call the Bureau and advise of their decision. I also advised Mr. Laughlin that this morning

cc - 65-14939 (Gubitchev)
AHB:CTC
65-14932

FBI - NEW YORK
JAN 6 1950

65-14932-7597 *Miller*

MEMO

NY 65-14932

January 6, 1950

I had informed Mr. Fletcher of the fact that there was going to be a hearing this afternoon and that we were getting SA Leonard, who was here on leave, to play the records.

Supervisor Granville, Agent Leonard and I then spoke to Mr. Kelley and Mr. Whearty. They advised they thought the report on the check of the jury panel should be included in those reports to be given to the judge in order that it could be said that all reports had been given to him. They furnished a copy of a 9-page memorandum^{by} them addressed to United States Attorney Saypol setting forth the manner in which the government is going to prove independent knowledge of COPLON's movements aside from any information from the telephone tap or mike. They said that as far as the Bureau is concerned, Mr. Fletcher, Delavigne, Payne and Mendenhall will be necessary witnesses Monday morning and Foley of the Department will be present.

The above information was furnished to Mr. Leo Laughlin on the evening of January 6. He was advised that the copy of the above memorandum to Mr. Saypol is being left with the reports which Mr. Fletcher is to review Sunday evening, January 8. Mr. Fletcher then got on the phone and requested that copies of the affidavits, particularly his, which were furnished to Judge Ryan be left for his perusal on Sunday evening also.

A. H. BELMONT
ASAC

LESTER TROOB
77-35 113th Street
Forest Hills, L.I., NY
Employment: The Young People's Records, Inc.
100 Sixth Avenue
Telephone: Worth 2-2922

It is reliably reported that Lester Troob is the vice-president and treasurer of the Young People's Records, Inc., which maintain an office at 40 West 46th Street, New York City. He has been described as married, born in the United States and is in his early thirties. He was employed by the corporation until he was elected to the office of vice-president and treasurer in October, 1947. Prior to this employment he was manager of the Universal Musical Concern and also manager of Universal Publishers, New York. The Young People's Records, Inc. maintained an office at 40 West 46 Street, New York. The officers are Horace W. Grenell, president, and Lester Troob, vice-president and treasurer, as of February 23, 1949. This corporation was formed on April 11, 1946 with an authorized capital stock of 200 shares of no par value.

Horace Grenell is married and was born in the United States about 1909. He was described as being in the musical line for a number of years and from 1934 to 1941 was chairman of the musical department of Sarah Lawrence College, Bronxville, New York. In 1941 he became an instructor in the musical department at Brooklyn College. In 1943, he secured a position as assistant to Morton Gould, the orchestra leader, and remained in that position until the inception of the instant corporation.

It has been reported that both officers described above hold similar positions in the Young People's Records Club, Inc., a New York corporation formed in June, 1946.

The Young People's Records, Inc. are manufacturers of children's phonograph records, specializing in educational records which are alleged to be used in various school systems. The corporation is reported to have current assets and liabilities of about \$35,000.00 and a tangible net worth of about \$28,000.00.

It has been reliably reported that Abraham Pomerantz, attorney, is a large stockholder in the Young People's Records, Inc.

It has further been reliably reported that one Horace Grenell in September, 1943 was listed as a member of the New York County Committee of the Communist Party. Grenell in October, 1943 was the director of the American People's Chorus and as such, performed at meetings of the Workers Order.

F. B. I.	
65-14932-760	
JAN 10 1950	
N. Y. C.	
ROUTED TO	FILE

In December of 1942 it was reported that Horace Grenell was alleged to be one of the members of a Communist group on the faculty of Sarah Lawrence College. He subsequently was discharged from this college and secured a position at the School for Democracy. In September of 1945, the "People's Voice" listed Horace Grenell as a sponsor and supporter of Benjamin Davis, candidate to the office of Councilman, New York City.

The "Daily Worker" of April 22, 1946 listed Horace Grenell, "a musician and critic", as a supporter of the May Day Parade, 1946. The "Daily Worker" of February 19, 1948 listed Horace Grenell as giving an analysis of "The Soviet Music Criticism" at the Jefferson School, February 20, 1948.

1-24-70

MEMO

65-14932

January 9, 1950

instance a message which ran off one record was picked up on another. This is explained by the fact that two machines are used and the calls are switched from one machine to another to balance the records.

I further advised Mr. Laughlin that SOLBY inquired as to his status and the judge advised him he was a defense expert. SOLBY stated he understood he was an unbiased expert for the assistance of the court, but the judge stated he was a defense expert.

Mr. Laughlin was advised that Mr. Kelley is feeling better and the hearing will resume tomorrow. I told Mr. Laughlin that we have located some references on TROOP, SOLBY and the YOUNG PEOPLES RECORDS, INC. in our indices and that an agent is checking the files to see what information we have on them.

A. H. BELMONT
ASAC

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK

JANUARY 10, 1950

MR. SCHEIDT
MR. BEEBOST
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVY
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TOLSON
MR. WOLFE
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT
JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. AT OUTSET OF TODAY'S COURT
SESSION, DEFENSE COUNSEL POMERANTZ MADE APPLICATION TO COURT TO EFFECT THAT
HE DESIRED TO MAKE A WIRE RECORDING OF UNINTELLIGIBLE SOUNDS ON ORIGINAL
DISCS FROM COPLON MICROPHONE IN HER OFFICE IN WASHINGTON. POMERANTZ STATED
THAT THEREAFTER, BY MEANS OF FILTER, IT WAS FELT THAT CERTAIN PORTIONS OF
CONVERSATIONS MIGHT BE BROUGHT OUT. JUDGE SAID HE WOULD PERMIT SUCH TO
TAKE PLACE AT FOUR PM ON WEDNESDAY NEXT IN HIS CHAMBERS, BUT THAT THE WIRE
RECORDING WAS TO BE KEPT IN HIS OFFICE AND GOVERNMENT COUNSEL WAS TO HAVE
ACCESS TO WHATEVER INFO WAS BROUGHT OUT AS RESULT OF WIRE RECORDING.
THEREAFTER DEFENSE COUNSEL PALMER MADE A NOTICE OF MOTION FOR REARGUMENT OF
HIS EARLIER MOTION SEEKING DISMISSAL OF INDICTMENT ON GROUNDS OF ILLEGAL
ARREST AND SEARCH BECAUSE AT THAT TIME THERE WAS NOT CONSIDERED DURING ARGU-
MENT AND HEARINGS FACT OF ILLEGAL WIRE TAPPING BY FBI. JUDGE IMMEDIATELY
DENIED THIS NOTICE OF MOTION. FIRST WITNESS WAS WILLIAM E. FOLEY, HEAD OF
FRA SECTION, DEPT. OF JUSTICE AND COPLON'S FORMER SUPERIOR IN THAT SECTION.
THIS WITNESS TESTIFIED AT LENGTH AS TO DATES WHEN HE HAD BEEN ADVISED BY
COPLON THAT SHE DESIRED TO TRAVEL TO NY, THE TIMES HE RELATED SUCH INFO TO
HIS SUPERIORS OR TO MR. FLETCHER OF FBI. HE WAS QUESTIONED AS TO WHETHER HE
HAD ANY KNOWLEDGE AT TIME OF INVESTIGATION THAT COPLON'S PHONES WERE TAPPED
AND HER OFFICE MICROPHONED. WITNESS STATED HE HAD NO SUCH KNOWLEDGE AND HAD
NEVER HEARD OF SUCH UNTIL IT BECAME AN ISSUE QUITE RECENTLY. PALMER QUESTIONED

cc - 65-14939 (Gubitchev)

JMO:M:CTC

65-14932

Approved: *[Signature]*

Special Agent in Charge.

DO NOT DESTROY - PENDING LITIGATION

Sent *3:48 PM*

M

Per *[Signature]*

65-14932-761

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

1/10/50

Transmit the following Teletype message to:

WITNESS AT LENGTH RE HIS VISIT TO COPLON'S OFFICE ON MARCH FOURTH WHEN HE LEFT WITH COPLON THREE SETS OF PAPERS INCLUDING DECOY LETTERS REGARDING AMTORG AND GEOPHONES. WITNESS WAS SHOWN PHOTOGRAPH OF COPLON'S OFFICE AND WAS ASKED HIS EXACT POSITION AND COPLON'S EXACT POSITION AT TIME OF HIS DISCUSSION WITH COPLON. WITNESS STATED THAT HE RECALLED BEING APPROXIMATELY THREE FEET FROM COPLON AT TIME OF CONVERSATION WHICH HE FELT LASTED FOR THREE OR FOUR MINUTES. HE STATED THAT CONVERSATION BETWEEN HIMSELF AND COPLON WAS CONDUCTED IN NORMAL TONE OF VOICE. DEFENSE COUNSEL POMERANTZ THEREAFTER QUESTIONED WITNESS AS TO HIS RECOLLECTION OF EXACT DATE WHEN HE WAS FIRST ADVISED THAT COPLON WAS UNDER SUSPICION. WITNESS STATED BETWEEN JANUARY / 3 THIRD AND JANUARY SEVENTH. JUDGE EXCLUDED AS OBJECTIONABLE SERIES OF QUESTIONS BY PALMER WHICH LATTER SAID WERE DESIGNED TO BRING OUT INFO THAT EARLY SUSPICIONS RELAYED TO WITNESS BY HIS SUPERIORS IN D OF J WERE IN FACT BASED ON INFO RECEIVED BY FBI THROUGH WIRE TAPS PRIOR TO ~~JANUARY SEVENTH~~, ~~THE SEVENTH~~ DATE WHICH THE FBI STATES ITS WIRE TAP WAS INSTITUTED. DEFENSE COUNSEL PALMER THEN TOOK OVER WITNESS FOR BRIEF PERIOD AND ASKED HIM QUESTION IF IT WAS NOT TRUE THAT HE HAD GONE OUT SOCIALLY WITH COPLON ON NUMBER OF OCCASIONS AND WHEN HE HEARD THAT COPLON WAS FRIENDLY WITH MAN NAMED GUBITCHEV THAT HE, THE WITNESS, WAS IN FACT JEALOUS. COURT REFUSED AN ANSWER ON THIS QUESTION. COURT RECESSED UNTIL TWO THIRTY PM THIS DATE.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.
JANUARY 10, 1950

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT
JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. AT OUTSET OF AFTERNOON
SESSION, JUDGE RYAN STATED HE HAD REVIEWED THE EXHIBIT WHICH CONSISTED OF
FIVE BUREAU INDEX CARDS REFERRING TO FOUR TELEPHONE TAPS AND ONE MICROPHONE
INSTALLATION IN THIS CASE, BOTH IN WASHINGTON AND NY. AS TO THOSE CARDS,
HE STATED HE WOULD PERMIT ACCESS BY DEFENSE COUNSEL TO COMPLETE CONTENT
OF CARDS EXCEPT CERTAIN PORTIONS TO BE BLACKED OUT. PORTIONS TO WHICH THEY
WERE TO HAVE ACCESS WERE NAME OF INDIVIDUAL, TELEPHONE NUMBER, ADDRESS OF
THE TELEPHONE, DATE OF AUTHORITY FROM AG, DATE OF INSTALLATION AND DATE OF
DISCONTINUANCE. AT REQUEST OF JUDGE, PHOTOSTATIC COPIES WERE MADE OF ABOVE
CARDS AND FOLLOWING PORTIONS BLACKED OUT SO AS NOT TO BE VISIBLE ON PHOTO-
STATIC COPIES: ONE, CONFIDENTIAL SYMBOL NUMBER; TWO, LOCATION OF PLANT
FROM WHICH MONITORED. (THEREAFTER, JUDGE READ PORTIONS OF OFFICE MEMORANDUM
FROM WFO TO DIRECTOR ENTITLED "TECHNICAL SURVEILLANCE OF RESIDENCE OF
JUDITH COPLON", DATED JANUARY SEVENTH, FORTY NINE, WASHINGTON, D. C., WHICH
SET FORTH THAT TELEPHONE TAP IN HER RESIDENCE WAS INSTALLED AT FOUR PM ON
JANUARY SIXTH, FORTY NINE. JUDGE READ THE CAPTION ON ABOVE LETTER AND PARA-
PHRASED CONTEXT THEREOF IN ORDER TO, AS HE STATED, CLEAR UP SOME CONFUSION
AS TO ACTUAL DATE OF INSTALLATION OF THAT TAP. JUDGE STATED HE HAD FINISHED
REVIEW OF SCHEDULE OF PHYSICAL SURVEILLANCES OF JUDITH COPLON BUT IT WAS NOT
TO BE RELEASED IN TOTO BUT HE WAS READING INTO RECORD FOLLOWING, ~~RECORD~~ SHE
WAS UNDER CONTINUOUS SURVEILLANCE FROM JANUARY SIXTH, FORTY NINE AT FIVE

cc - 65-14939 (Gubitchev)
JMO:M:CTC
65-14932

Approved: C. J. Sawyer
Special Agent in Charge

Sent 6:23 P M

Per g

65-14932-762

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

1/10/50

Transmit the following Teletype message to:

TWENTY FIVE PM, SAVE FOR AN INTERRUPTION OF FOUR DAYS, UNTIL MARCH ONE, FORTY NINE, AND ON MARCH FOURTH UNTIL THE TIME OF HER ARREST ON THE EVENING OF THAT DATE". FIRST WITNESS AT AFTERNOON SESSION WAS INSPECTOR H. B. FLETCHER OF BUREAU. FLETCHER WAS QUESTIONED BRIEFLY BY GOVERNMENT COUNSEL AS TO INSTRUCTIONS HE ISSUED TO INITIATE INVESTIGATION ON JANUARY THIRD, THE TYPE OF INSTRUCTIONS ISSUED, DATE OF FIRST INSTALLATION OF TAP AT COPLON RESIDENCE IN WASHINGTON. HE WAS FURTHER QUESTIONED BY GOVERNMENT COUNSEL AS TO TIME OF RECEIPT OF INFO ON JANUARY ^{NineTeenth} ~~EIGHTEENTH~~, FEBRUARY EIGHTEENTH AND MARCH FOURTH FROM MR. FOLEY TO THE EFFECT THAT COPLON HAD DEPARTED HER OFFICE FOR NY. THEREAFTER WITNESS WAS QUESTIONED AT LENGTH BY DEFENSE COUNSEL PALMER AS TO HIS RECOLLECTION OF INTERCEPTED INFO INDICATING COPLON'S PLANS TO TRAVEL TO NY. WITNESS WAS QUESTIONED REGARDING CONTENTS OF TELETYPE FROM NY TO BUREAU AND WFO DATED FEBRUARY TWENTY ^{EIGHTH} ~~SEVENTH~~, SETTING OUT RECEIPT OF INFO ON PREVIOUS DATE FROM TECHNICAL SURVEILLANCE ³ WHICH INDICATED THAT COPLON WOULD BE TRAVELLING TO NY ON MARCH FOURTH. THEREAFTER, DEFENSE COUNSEL POMERANTZ QUESTIONED WITNESS AS TO WHETHER THE BUREAU'S INVESTIGATIVE REPORTS CONTAINED A SUMMARY OF INTERCEPTED TELEPHONE INFO AND ^{POSSIBLE} ~~TAKEN~~ ACTION TAKEN THEREON. UPON THE WITNESS ANSWERING IN AFFIRMATIVE, POMERANTZ THEREUPON MADE APPLICATION TO COURT FOR INVESTIGATIVE REPORTS IN ORDER THAT IT MIGHT BE DETERMINED THE EXTENT OF ACTION TAKEN BY BUREAU AS A RESULT OF INTERCEPTED INFO. JUDGE DENIED POMERANTZ' APPLICATION. THEREAFTER POMERANTZ QUESTIONED WITNESS AS TO WHETHER BUREAU HAD RECEIVED INFO

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

-----3--

1/10/50

Transmit the following Teletype message to:
FROM "CONFIDENTIAL INFORMANT" LATE IN DECEMBER ON BASIS OF WHICH INVESTIGATION
WAS INITIATED ON COPLON. WITNESS ANSWERED IN AFFIRMATIVE. POMERANTZ
THEREUPON ASKED WITNESS IF THE TERMINOLOGY WITHIN THE BUREAU OF "CONFIDENTIAL
INFORMANT" DID NOT ALSO APPLY TO WIRE TAPPERS. WITNESS ANSWERED IN AFFIRMATIVE.
POMERANTZ THEN ASKED IF INFO FROM CONFIDENTIAL INFORMANT WAS IN WRITING.
JUDGE SUSTAINED AN OBJECTION TO LAST QUESTION. POMERANTZ THEN ASKED IF
INFO RECEIVED FROM THAT INFORMANT WAS FIRST INFO RECEIVED CONCERNING COPLON.
WITNESS ANSWERED THAT IT WAS THE INFO ON THE BASIS OF WHICH INVESTIGATION
WAS INITIATED. POMERANTZ THEN STATED THAT HE DESIRED PRODUCTION OF THAT
CONFIDENTIAL INFORMANT IN COURT IN ORDER THAT IT MIGHT BE DETERMINED IF THAT
INFORMANT WAS ACTUALLY A "WIRE TAPPER". JUDGE STATED THAT HE HAD ALREADY
EXAMINED MANY OF PAPERS IN THIS CASE, INCLUDING THAT WHICH SET OUT INFO
FROM ORIGINAL CONFIDENTIAL INFORMANT AND HE WAS CERTAIN THAT THAT INFO WAS
OBTAINED FROM SOURCES OTHER THAN WIRE TAPPING, AND FURTHER THAT, IN THE
INTEREST OF NATIONAL SECURITY, HE WOULD PERMIT NO FURTHER DISCUSSION ON
THIS MATTER. POMERANTZ THEN ATTEMPTED TO ELICIT FROM WITNESS INFO AS TO
WHERE THE MONITORS WERE LOCATED. JUDGE SUSTAINED OBJECTION TO THIS QUESTION.
POMERANTZ STATED THAT HIS PURPOSE WAS TO INDICATE THAT THE TELEPHONE CO.
WAS AN ACTIVE PARTY IN THE TELEPHONE INTERCEPTION CONDUCTED BY BUREAU.
JUDGE SUSTAINED OBJECTION TO THIS QUESTION AND EXCLUDED AN OFFER OF PROOF
FROM POMERANTZ. LATER JUDGE DENIED POMERANTZ' MOTION FOR A SUBPOENA TO
AMERICAN TELEPHONE AND TELEGRAPH COMPANY. LATER PALMER ATTEMPTED TO QUESTION

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 4 -

1/10/50

Transmit the following Teletype message to:

WITNESS REGARDING AUTHORIZATION FROM AG FOR INSTALLATION OF TELEPHONE
TAPS AND IF SUCH INSTALLATION WAS MADE BEFORE AUTHORIZATION HAD BEEN
GRANTED. JUDGE SUSTAINED OBJECTIONS TO QUESTIONS ALONG THIS LINE. QUESTION-
ING OF WITNESS FLETCHER COMPLETED. COURT RECESSED AT FOUR PM UNTIL TEN
THIRTY AM TOMORROW.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

MR. SCHEIDT
MR. BELMONT
MR. WELMAN
MR. COLLIER
MR. CRANVILLE
MR. TESSAULT
MR. ADVISOR
MR. PROPERTY CLERK
THIRTEEN UNIT

FBI - NEW YORK
JAN 10 1950

MR. SCHEIDT
MR. BELMONT
MR. WHEELAN
MR. COLLIER
MR. GRANVILLE
MR. TOLSON
MR. CLEGG
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. HARBO
MR. MOHR
MR. WINTERROWD
TELE. ROOM
MR. HOLLOMAN
MISS GANDY

FAULT

— 108 —

RE: JUDITH COPLON
ESPIONAGE - R

FBI NEW YORK
JAN 11 1950

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, NEW YORK

DATE: 1/10/50

FROM : SAC, BOSTON

Judith Caplan
 SUBJECT: ~~VALENTINE ALEXSEVICH GUBITCHEV~~, was.
 ESPIONAGE - R

In conformity with telephonic request, this date, of Supervisor GRANVILLE, of your office, the Boston office is transmitting herewith, a complete file of its file number 2-0, Serial 7 of which refers to SOL BURTON LEVINE, wa. ROBERT SOLBY, Alleged Recruiting for Haganah, Neutrality Act, as well as Boston File 47-1767, with serials numbered one to three, both inclusive, together with Serial #1A, which contains a photograph of SOLBY.

In answer with your request, the above are being submitted by the most expeditious manner possible.

It is requested that when they have served their purpose, both files be returned to this office. Both files are being transmitted in this manner, as it seems to be the most expeditious manner of furnishing them to you.

*Boston File 2-0 referred to Boston 7.D.
 1-19-50 via Registered Mail RRB*

WJW:IMS
 65-3268
 CC: 2-0
 47-1767
 Encls.

*material re Solby in
 Caplan file as he is
 associated with the
 Caplan Defense.*

65-14932-764A

FBI - NEW YORK
JAN 11 1950

*McDerm
 1-20-50*

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

January 11, 1950

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. HARBO
MR. MOHR
MR. WINTERROWD
TELE. ROOM
MR. HOLLOMAN
MISS GANDY

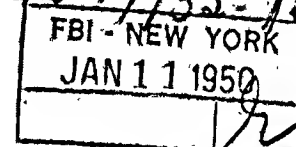
MEMO

RE: JUDITH COPLON
ESPIONAGE - R

I called SAC W. A. Murphy of the Phoenix Office at 11:00 am today and advised him it was imperative that SA Lynn Bedford proceed immediately to New York by fastest way possible inasmuch as it was desired he appear as a witness in this case. I asked him how soon it would be possible for Bedford to leave. He advised Bedford was presently in Tuscon, Arizona; however, they would get him on a plane immediately and if at all possible, he would depart at such time as would permit him to arrive in New York City tomorrow morning. I asked the Phoenix office to confirm his departure by teletype.

R. R. GRANVILLE
Supervisor

RRG:CTC
65-14932



Federal Bureau of Investigation
United States Department of Justice
New York, New York

January 11, 1950

MR. SCHEIDT
MR. TOLSON
MR. BOARDMAN
MR. BELMONT
MR. CLEGG
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WHELAN
MR. WYATT
MR. ZIEGLER
MR. HOLLOMAN
MR. GANDY
TELE. ROOM
MR. NEASE
MISS GANDY

MEMO

RE: JUDITH COPLON
ESPIONAGE - R.

At 11:30 am today, Mr. Fletcher of the Bureau furnished the following criminal record on SOLOMON B. LEVINE:

Boston Police Department #71862; arrested May 29, 1949; charge S. P. Larceny in a building; no disposition. Description:

Born	1/16/21
Height	6'4"
Weight	185 lbs.
Complexion	Medium
Eyes	Hazel
Hair	Chestnut
Address	113 Brighton, Brighton, Mass.

Mr. Fletcher suggested that we have the Boston office discreetly check re the disposition of this arrest.

I called ASAC West of the Boston Office at 12:10 pm today and requested that the Boston Office check the Boston Police Department records on SOLOMON B. LEVINE and obtain the disposition of his arrest; further, if it can be done discreetly, a check be made with the Boston Psychopathic Hospital. He said both of these checks could be made with discretion. I advised him I had spoken to Mr. Fletcher about this and Mr. Fletcher had stated that in the event it cannot be handled discreetly, they should not be done.

R. R. GRANVILLE
Supervisor

RRG:CTC
65-14932

*Ne' d m
1-20-50*

65-14932-765A

FBI - NEW YORK
JAN 11 1950
<i>R</i>

MR. SCHEIDT
 MR. BELMONT
 MR. WHELAN
 MR. COLLIER
 MR. GRANVILLE
 MR. LUTHER
 MR. KENNEDY
 MR. EVANS
 MR. MARCHESSAULT
 MR. RAY
 MR. SUPERVISOR
 MR. KING
 MR. TOLLEY
 MR. WOOD
 CHIEF CLERK
 PROPERTY CLERK
 TRAINING UNIT

FBI PHOENIX

1-11-50

12-10 PM

SAC NEW YORK

URGENT

JUDITH COPLON, ETAL, ESPIONAGE - R. SA LYNN W. BEDFORD, ON SUBPOENA
 NEW YORK, ARRIVING LA GUARDIA AIRPORT TEN THIRTY FIVE TONIGHT.
 MAKE HOTEL RESERVATIONS, PREFERABLY GEORGE WASHINGTON. BEDFORD
 WILL CONTACT OFFICE.

MURPHY

END

OK FBI NYC JFG

M

*Sp. 1st Washington
 1-11-50 to 1-11-51*

-766

R

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
JANUARY 11, 1950

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. FUGES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. WILSH
CHIEF CLERK
PROPERTY CLERK

Transmit the following Teletype message to: BUREAU AND WASHINGTON FIELD--URGENT,

JUDITH COPLON, ESPIONAGE-R. TODAY'S SESSION STARTED AT TEN THIRTY AM ON THE WIRE TAPPING ISSUE. DEFENSE COUNSEL POMERANTZ APPLIED TO THE COURT FOR EVIDENCE VOLUMES THIRTY AND THIRTY ONE COVERING THE WASHINGTON TRIAL OF COPLON, WHICH VOLUMES CONTAIN IN DETAIL THE INFORMATION IN THE BUREAU REPORTS READ INTO EVIDENCE AT THAT TRIAL. POMERANTZ STATED HE DESIRED THEIR ADMISSION FOR THE PURPOSE OF SHOWING A SYSTEMATIC WIRE TAPPING BY THE FBI OF THE RESIDENCES AND OFFICES OF UN EMPLOYEES AND EMPLOYEES AND REPRESENTATIVES OF FOREIGN MISSIONS IN THE U. S. POMERANTZ STATED THAT HE WOULD THEREBY BE ABLE TO PROVE THAT GUBITCHEV'S OFFICE AND HOME TELEPHONES HAD BEEN TAPPED PRIOR TO FEBRUARY FIRST, FORTY NINE. THE JUDGE STATED HE WOULD NOT RECEIVE THE ABOVE IN EVIDENCE AT THIS TIME BUT MIGHT DO SO AT THE CONCLUSION OF THE GOVERNMENT'S TESTIMONY ON THIS ISSUE. POMERANTZ THEN ASKED FOR A CONCESSION BY GOVERNMENT COUNSEL THAT THE CONFIDENTIAL INFORMANT WHO SUPPLIED THE ORIGINAL INFORMATION RE COPLON WAS AN EMPLOYEE OF THE FBI. SAAG KELLY STATED THAT HE REFUSED TO MAKE SUCH A CONCESSION AND DESIRED TO STATE FURTHER THAT HE DID NOT KNOW WHETHER THAT INFORMANT WAS AN EMPLOYEE OF THE FBI. THE GOVERNMENT CALLED AS ITS WITNESS SA KENNETH T. DELAVIGNE OF THE WFO WHO TESTIFIED RE THE ORIGINAL INFORMATION GIVEN HIM REGARDING COPLON ON JANUARY THIRD, FORTY NINE, BY INSPECTOR FLETCHER OF THE BUREAU. THE WITNESS TESTIFIED THAT, THEREAFTER,

THAT LATER WIRE TAPS WERE INSTALLED

ON COPLON'S RESIDENCE AT FOUR PM, JANUARY SIXTH, FORTY NINE, AND THAT THE

JMO:MFB
65-14932
CC: 65-14939

Approved: *[Signature]*
Special Agent in Charge

Sent *2:55 P* M Per *AB*

65-14932-767

b7E

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

-2-

Transmit the following Teletype message to:

FIRST CONVERSATION WAS INTERCEPTED AT SIX FIFTY SEVEN PM THAT DATE. HE FURTHER TESTIFIED THAT A PHYSICAL SURVEILLANCE HAD BEEN INITIATED AT FIVE TWENTY FIVE PM JANUARY SIXTH. WITNESS TESTIFIED AS TO THE INSTRUCTIONS HE GAVE TO THE SURVEILING AGENTS ON JANUARY FOURTEEN WHEN COPLON LEFT FOR NY AND TO HIS TELEPHONE CALL TO THE NYO ADVISING OF COPLON'S DEPARTURE. THEREAFTER, DEFENSE COUNSEL PALMER QUESTIONED THE WITNESS RE THE NATURE OF INSTRUCTIONS FOR PHYSICAL SURVEILLANCE. WITNESS TESTIFIED THAT HIS INSTRUCTIONS WERE THAT THE SURVEILLANCE SHOULD BE SUBSTANTIAL AND CONTINUOUS, AND THAT GOOD JUDGMENT AND DISCRETION SHOULD BE EXERCISED AS TO THE QUESTION OF CONTINUING A SURVEILLANCE AT A PARTICULAR TIME OR DATE. WITNESS WAS QUESTIONED AS TO THE TRIPS BY COPLON TO NY WHEN SHE WAS UNDER PHYSICAL SURVEILLANCE AND TO ADVANCE INFORMATION FROM WIRE TAPS WHICH INDICATED THAT SUCH TRIPS WERE TO BE UNDERTAKEN. THE WITNESS TESTIFIED THAT INFORMATION INDICATING COPLON'S INTENDED DEPARTURES HAD BEEN RECEIVED NOT ONLY FROM WIRE TAPS BUT ALSO FROM MR. FLETCHER OF THE BUREAU. THE JUDGE, THEREAFTER, GAVE THE DEFENSE COUNSEL ACCESS TO THE PORTION OF THE EXHIBIT ENTITLED, SCHEDULE OF PHYSICAL SURVEILLANCES OF JUDITH COPLON. THE PORTION TO WHICH THE JUDGE GAVE DEFENSE COUNSEL ACCESS COVERED PERIOD JANUARY SIX TO JANUARY FOURTEEN, FORTY NINE. THEREAFTER, DEFENSE COUNSEL ^{POMERANTZ} TOOK OVER THE WITNESS AND ASKED HIM A QUESTION AS TO WHETHER THE LETTER T FOLLOWING THE DESIGNATION OF CONFIDENTIAL INFORMANT IN BUREAU REPORTS STOOD FOR A TELEPHONE TAP. OBJECTION SUSTAINED TO THIS QUESTION. POMERANTZ THEN QUESTIONED THE WITNESS

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

-3-

Transmit the following Teletype message to:

REGARDING THE WEIGHT WHICH WOULD BE GIVEN BY THE WITNESS OF WIRE TAP INFORMATION INDICATING COPLON'S PLANS IN THE WITNESS' DETERMINATION TO CONTINUE OR TEMPORARILY DROP A PHYSICAL SURVEILLANCE. THE WITNESS STATED THAT SUCH INFORMATION WOULD BE ONE FACTOR IN THE DETERMINATION OF THE CONTINUANCE OF A SURVEILLANCE. THE COURT RECESSED AT TWELVE THIRTY UNTIL TWO PM THIS DATE WITH THE WITNESS DELAVIGNE STILL ON THE STAND.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVY
MR. MARCESSAULT
MR. RIGAN
New York City
January 14, 1950.
URGENT
MR. WISE
WASHINGTON FIELD
M. WITH WITNESS
TRAINING UNIT

Transmit the following Teletype message to: BUREAU & SAC, WASHINGTON FIELD.
JUDITH COPLON, ESPIONAGE R. SESSION RESUMED TWO PM WITH WITNESS
DELAVIGNE ON STAND WHO TESTIFIED UNDER QUESTIONING BY POMERANTZ
THAT HE FIRST LEARNED OF THE NAME OF GUBITCHEV SHORTLY AFTER
JANUARY FOURTEENTH, FORTY NINE. WITNESS STATED THAT HE LEARNED
OF THE NAME OF GUBITCHEV THROUGH AN ORAL STATEMENT FROM SOME OTHER
AGENT IN THE WASHINGTON FIELD OFFICE AND DID NOT LEARN OF THE NAME
OF GUBITCHEV THROUGH A WIRE TAP. THE NEXT WITNESS WAS SA H. DUDLEY
PAYNE OF THE WASHINGTON FIELD OFFICE WHO TESTIFIED UNDER DIRECT
EXAMINATION BY THE GOVERNMENT THAT HE RECEIVED INSTRUCTIONS FIRST
ON THIS CASE ON JANUARY THIRD AND INITIATED SURVEILLANCE ON
COPLON FROM HER OFFICE AT FIVE TWENTY FIVE PM ON JANUARY SIXTH;
THAT COPLON AT THE TIME OF LEAVING HER OFFICE WAS NOTED TO ENTER
A CAR ULTIMATELY IDENTIFIED AS BELONGING TO MR. HAROLD SHAPIRO
OF THE DJ. WITNESS THEN TESTIFIED THAT HE SURVEILLED COPLON ON
THE FOLLOWING DAY FROM HER OFFICE TO HER HOME AND LATER TO
BALTIMORE IN THE COMPANY OF SHAPIRO. ON CROSS EXAMINATION BY
PALMER WITNESS TESTIFIED IN DETAIL AS TO THE JANUARY SIXTH
SURVEILLANCE WHEN COPLON WAS OBSERVED ENTERING SHAPIRO'S CAR
AND WAS THEN QUESTIONED IN DETAIL AS TO THE JANUARY SEVENTH
SURVEILLANCE WHEN COPLON WAS TAKEN TO BALTIMORE. PALMER THEN
QUESTIONED THE WITNESS IN DETAIL AS TO SURVEILLANCES OF JANUARY
FOURTEENTH TO NEW YORK AND MARCH FOURTH TO NEW YORK. PALMER'S

NY 65-14932
CC 65-14939
Approved: *E. J. [Signature]*

JMO:M:gu Special Agent in Charge

Sent *7:58* M

Per *[Signature]*

65-14932-768

QUESTIONING WAS AS TO THE INSTRUCTIONS FROM DELAVIGNE AND WAS SPECIFICALLY ON THE POINT OF WHETHER WITNESS HAD PRIOR KNOWLEDGE FROM WIRE TAPS OF COPLON'S INTENDED TRIP. UNDER QUESTIONING BY DEFENSE COUNSEL POMERANTZ THE WITNESS STATED THAT ON JANUARY SEVENTH HE DID NOT KNOW THAT COPLON INTENDED TO GO TO BALTIMORE BUT BELIEVED THAT HE HAD HEARD OF INFORMATION RECEIVED THROUGH WIRE TAPS THAT COPLON CONTEMPLATED A TRIP TO PHILADELPHIA THAT WEEKEND. THE QUESTIONING OF THE WITNESS PAYNE WAS COMPLETED. DEFENSE COUNSEL POMERANTZ TOLD THE COURT THAT HE WAS NOT GOING TO TAKE ADVANTAGE OF THE OPPORTUNITY TO MAKE WIRE RECORDINGS FROM THE MICROPHONE RECORDS FROM WASHINGTON BECAUSE THE COURT HAD INSISTED THAT GOVERNMENT COUNSEL AND FBI AGENTS COULD BE PRESENT AT THE TIME OF THE PLAYING BACK OF THE WIRE RECORDINGS. GOVERNMENT COUNSEL INDICATED THAT THEY HAVE COMPLETED MOST OF THE AFFIRMATIVE PROOF ON THIS ISSUE. THE JUDGE ORDERED THE GOVERNMENT TO PRODUCE SA LYNN BEDFORD WHO MONITORED THE MICROPHONE CONVERSATIONS MARCH FOURTH, FORTY NINE AND THE INDIVIDUALS RESPONSIBLE FOR PHYSICAL DESTRUCTION OF WIRE TAP RECORDS IN NEW YORK CITY. IN ANSWER TO QUERY BY THE JUDGE, PALMER STATED THAT HE WANTED TO CALL FIVE MORE WITNESSES ON THIS ISSUE. *COURT INSTRUCTED THAT HE FURNISH THEIR NAMES AND LINE OF QUESTIONING CONTEMPLATED.* POMERANTZ STATED HE WOULD CALL ONLY ONE WITNESS, NAMELY, SA T. S. MILLER. THE JUDGE STATED THAT ON THE BASIS OF HIS REVIEW OF BUREAU ~~REPORTS~~ ^{REPORTS} ~~TO DATE~~ TO DATE HE DID NOT FEEL THAT HE WOULD BE LIKELY TO GRANT ACCESS TO ANY OF THEM TO DEFENSE COUNSEL. THE JUDGE INDICATED HE IS VERY ANXIOUS TO COMPLETE ALL HEARINGS ON THIS ISSUE AND ON THE OTHER PENDING MOTION, NAMELY, POMERANTZ' MOTION TO SUPPRESS EVIDENCE, BY FRIDAY NEXT. THE JUDGE STATED

ADJUTANT GENERAL'S OFFICE

IN THE EVENT HE RULES ADVERSELY TO THE DEFENDANTS ON THESE ISSUES HE HOPES TO START PICKING A JURY ON MONDAY NEXT OR AS SOON THEREAFTER AS POSSIBLE. POMERANTZ TOLD THE JUDGE THAT HE IS GOING TO HAVE A SUBPOENA ISSUED FOR AN OFFICIAL OF THE AMERICAN TELEPHONE AND TELEGRAPH COMPANY TO APPEAR IN COURT RE PARTICIPATION OF THAT COMPANY IN TELEPHONE TAP ON GUBITCHEV'S PHONE. THE JUDGE TOLD POMERANTZ THAT THE QUESTION OF SUCH A SUBPOENA WAS UP TO POMERANTZ HIMSELF BUT INDICATED THAT HE WOULD MOST LIKELY NOT PERMIT ANSWERS TO QUESTIONS PUT TO THAT REPRESENTATIVE OF THE TELEPHONE COMPANY. COURT ^{To} RESUME TEN THIRTY AM TOMORROW.

SCHEIDT

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
JAN. 12, 1950

MR. SCHEIDT
MR. BELMONT FD-36
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. THOMY
MR. WELLS
MR. WOEL
JUDGE BARTER
PROPERTY CLERK
TRAINING UNIT
INCLUDED

Transmit the following Teletype message to: BUREAU AND WASHINGTON FIELD - URGENT

JUDITH COPLON, ESPIONAGE R. AT THE OUTSET OF THE MORNING SESSION, STATED HE HAD COMPLETED HIS INSPECTION OF THE GOVERNMENT EXHIBIT WHICH ALL INVESTIGATIVE REPORTS ON BOTH GUBITCHEV AND COPLON. HE STATED THAT AS A RESULT OF HIS INSPECTION HE WAS DENYING ACCESS TO ANY OF THIS MATERIAL TO THE DEFENSE COUNSEL, WAS ORDERING THE ENTIRE EXHIBIT RESEALED BY THE CLERK OF THE COURTS, AND THAT IT BE RETURNED TO GOVERNMENT COUNSEL. THESE REPORTS NOW IN POSSESSION OF THIS OFFICE. NEXT, IN ANSWER TO AN APPLICATION BY DEFENSE COUNSEL PALMER, THE GOVERNMENT AGREED TO BRING TO NY BY TOMORROW MORNING, MR. HAROLD SHAPIRO OF THE DEPT. OF JUSTICE AS A WITNESS OF PALMER. PALMER HAS INDICATED HE DESIRES TO QUESTION SHAPIRO AS TO WHETHER HE WAS ACTING AS AN FBI "STOOGES" DURING THE ENTIRE TIME THAT COPLON WAS UNDER INVESTIGATION. THE JUDGE INDICATED THAT HE DOUBTED HE WOULD PERMIT QUESTIONING ON THAT ISSUE BY PALMER, BUT NEVERTHELESS, WOULD AGREE THAT SHAPIRO COULD BE CALLED AS A WITNESS. PALMER INDICATED HE WANTED AS ADDITIONAL WITNESSES SAS ROBERT J. LAMPHIRE, T. SCOTT MILLER, LYNN W. BEDFORD. PALMER WAS GIVEN UNTIL TOMORROW MORNING TO PREPARE A LIST OF ANY OTHER WITNESSES HE DESIRES CALLED. DEFENSE COUNSEL POMERANTZ ADVISED COURT HE HAS ISSUED A SUBPOENA, RETURNABLE TOMORROW, FOR KIETH MC HUGH, PRESIDENT OF THE NY TELEPHONE COMPANY. FIRST WITNESS WAS MRS. SOPHIE SALIBA, TRANSLATOR OF NYO AND IN CHARGE OF THE TRANSLATION UNIT OF THIS OFFICE. UNDER QUESTIONING BY BOTH PALMER AND POMERANTZ, THE WITNESS TESTIFIED AS TO THE NATURE OF HER DUTIES REGARDING THE MAINTENANCE OF PHONOGRAPHIC RECORDS AND THE ROUTINE OF DESTRUCTION OF

JMO:MFB
65-14932

Approved: *EL*

CC: 65-14939

Special Agent in Charge

Sent *2:59 PM*

Per *AB*

65-14932-769 *enc*

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

-2-

Transmit the following Teletype message to:

THOSE RECORDS. WITNESS TESTIFIED THAT, GENERALLY, RECORDS ARE KEPT FOR A PERIOD OF SIXTY TO NINETY DAYS PRIOR TO DESTRUCTION, BUT THAT THAT PERIOD IS ELASTIC. THE WITNESS TESTIFIED THAT SHE NEVER KNEW WHETHER ANY OF THE RECORDS THAT CAME UNDER HER CONTROL PERTAINED TO COPLON AND GUBITCHEV AND HAD NEVER LISTENED TO ANY RECORDS IN CONNECTION WITH THESE INDIVIDUALS. WITNESS TESTIFIED THAT SHE WAS FIRST APPROACHED IN CONNECTION WITH POSSIBLE TESTIMONY IN THIS HEARING BY SA T. SCOTT MILLER ON DECEMBER THIRTY FIRST, FORTY NINE. AT THAT TIME, AT THE REQUEST OF AGENT MILLER, SHE CHECKED HER RECORDS AND FOUND AS SHE CHECKED HER LIST OF RECORDS THAT THE OLDEST PHONOGRAPHIC RECORDS BEING RETAINED ON DECEMBER THIRTY ONE, FORTY NINE, WERE RECORDS WHICH HAD BEEN GIVEN TO HER ON OCTOBER THIRTEEN, FORTY NINE. SHE TESTIFIED THAT SEPARATE BOOKS WERE MAINTAINED FOR RECORDS COMING UNDER HER CONTROL AND FOR RECORDS MARKED AND SENT FOR DESTRUCTION. AT THE REQUEST OF DEFENSE COUNSEL PALMER, WITNESS WAS EXCUSED IN ORDER TO OBTAIN NOTEBOOKS REFLECTING THE DESTRUCTION OF RECORDS. THEREUPON THERE WAS CALLED AS A WITNESS, MR. JOHN L. WARE, CHAUFFEUR AND CLERK OF THE NYO, WHO TESTIFIED THAT AT FREQUENT INTERVALS IN CONNECTION WITH HIS DUTIES, HE WAS ORDERED TO THE TRANSLATION UNIT TO PICK UP PHONOGRAPH DISKS FOR THE PURPOSE OF DESTRUCTION, THAT, UPON OBTAINING THESE DISKS, HE TOOK THEM TO A LOCATION IN THE OFFICE OF THE FBI, PLACED THEM IN BOILING WATER, THEN PEELED OFF THE SURFACES OF THOSE DISKS AND CUT THE SURFACES UP INTO SMALL PIECES. THE WITNESS FURTHER TESTIFIED THAT WHEN THERE WAS AN ACCUMULATION OF CUT UP SURFACES OF PHONOGRAPHIC DISKS, HE WOULD TAKE THAT MATERIAL TO AN

Approved: _____

Special Agent in Charge

Sent _____ M

Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
-3-

Transmit the following Teletype message to:

INCINERATOR IN HACKENSACK, NJ, AND THERE DESTROY IT BY BURNING IT.
THEREAFTER THE WITNESS SALIBA WAS RECALLED TO THE STAND AND, ON APPLICATION
OF DEFENSE COUNSEL POMERANTZ, THE JUDGE INSTRUCTED THE WITNESS TO PREPARE
AS SOON AS POSSIBLE A SCHEDULE FOR THE YEAR NINETEEN FORTY NINE OF THE
NUMBER OF RECORDS DESTROYED FOR EACH MONTH IN THAT YEAR. COURT RECESSED
AT TWELVE FIFTY UNTIL TWO THIRTY PM THIS DATE. THE JUDGE INDICATED THAT
THIS SCHEDULE WOULD BE PREPARED FOR HIS INSPECTION AND THAT HE WOULD
RULE LATER WHETHER OR NOT DEFENSE COUNSEL WOULD HAVE ACCESS THERETO.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK
JANUARY 12, 1960

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. YEVVIS
MR. ARCHESHAULT
MR. KAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. ROBERT
MR. WOLL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD
JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. AT START OF AFTERNOON
SESSION, SA ARTHUR AVIGNONE, NYFO, WAS CALLED TO STAND. UNDER QUESTIONING
BY DEFENSE COUNSEL PALMER WITNESS STATED HE FIRST BECAME ASSOCIATED WITH
COPLON CASE ON JULY TWELFTH, FORTY NINE AT INSTRUCTIONS OF ASAC BELMONT.
IT WAS AT THAT TIME THAT HE FIRST LEARNED OF ANY WIRE TAPPING IN CONNECTION
WITH THIS CASE. WITNESS STATED HE WAS TOLD BY BELMONT TO REVIEW PHONOGRAPHIC
DISCS AND SUMMARIZE INFO THEREIN AND AT INTERVALS PREPARE LETTERS TO BUREAU
SETTING OUT THOSE SUMMARIZATIONS. WITNESS STATED THAT HE UNDERSTOOD THAT
PURPOSE OF THIS WIRE TAP WAS TO INSURE BUREAU KNOWING OF DEFENDANT COPLON'S
WHEREABOUTS. WITNESS STATED THAT ON NOVEMBER TENTH, FORTH NINE, HE WAS
ADVISED BY MR. BELMONT TO ARRANGE FOR THE DESTRUCTION OF PHONOGRAPHIC DISCS
FROM COPLON TAP AND TO DESTROY ANY ADMINISTRATIVE DATA NO LONGER REQUIRED.
WITNESS STATED THAT SINCE JULY TWELFTH HE HAD KEPT LIST OF DISC NUMBERS ON
WHICH THERE WERE CUTS FROM COPLON TAP AND ON BASIS OF THAT LIST HE WENT TO
REPOSITORY OF PHONOGRAPHIC DISCS, REMOVED THOSE DISCS AND PLACED THEM IN FILE
DRAWER CONTAINING DISCS EARMARKED FOR DESTRUCTION. ~~WITNESS NEXT THIRTY TO~~
~~SIXTY TWO.~~ WITNESS WAS ASKED BY DEFENSE COUNSEL PALMER WHY IT WAS THAT HE
WAS ABLE TO RECALL A SPECIFIC DATE OF NOVEMBER TENTH. WITNESS ANSWERED THAT
HE RECALLED IT BECAUSE AS FAR AS HE WAS CONCERNED SUCH INSTRUCTIONS WERE
UNUSUAL AND IN ADDITION EARLIER INSTRUCTIONS OF JULY TWELFTH TO LISTEN TO
AND SUMMARIZE CONVERSATIONS FROM COPLON TAP WERE ALSO UNUSUAL AS FAR AS HE
WAS CONCERNED AND FOR THAT REASON BOTH DATES STOOD OUT CLEARLY IN HIS

JMO:M:CTC

65-14932

cc - 65-14939 (Gubitchev)

Approved: _____

Special Agent in Charge

Sent

907 P M

Per

Jan

65-14932 - 770

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

-----2--

1/12/50

Transmit the following Teletype message to:

RECOLLECTION. WITNESS STATED IN ANSWER TO QUESTION THAT AFTER HE HAD CHECKED HIS LIST OF DISC NUMBERS OF COPLON TAP AND WAS CERTAIN THAT ALL DISCS IN RACK CONTAINING NUMBERS FROM HIS LIST HAD BEEN REMOVED AND PLACED IN FILE DRAWER FOR DESTRUCTION, HE THEREUPON DESTROYED HIS LIST OF DISC NUMBERS. JUDGE RYAN RELEASED A PART OF THE EXHIBIT CONTAINING INFO IN FILES OF BUREAU HEADQUARTERS PERTAINING TO INSTRUCTIONS CONCERNING COPLON-GUBITCHEV TELEPHONE TAPS. ONE DOCUMENT WAS A MEMORANDUM DATED JULY TWELFTH, FORTY NINE FROM MR. FLETCHER TO MR. LADD STATING THAT NYT FIVE ONE TWO HAD BEEN REINSTITUTED ON THAT DATE ON COPLON RESIDENCE IN NY. OTHER DOCUMENT RELEASED BY JUDGE TO DEFENSE COUNSEL WAS MEMORANDUM DATED NOVEMBER SEVENTH, FORTY NINE TO ASSISTANT DIRECTOR LADD FROM INSPECTOR H. B. FLETCHER CONCERNING CONFIDENTIAL INFORMANT THIS MEMORANDUM DEALT WITH A RECOMMENDATION THAT NYT FIVE ONE TWO SHOULD BE DISCONTINUED FOR REASONS OF SECURITY IN LIGHT OF THE IMPENDING TRIAL DATE IN COPLON CASE IN NY. THE MEMO FURTHER RECOMMENDED THAT ALL ~~RECORDS~~ ADMINISTRATIVE DATA IN CONNECTION WITH THAT INSTALLATION BE DESTROYED IN INTEREST OF SECURITY. A HANDWRITTEN NOTATION ~~RECOMMENDED~~ ~~RECOMMENDED~~ APPEARED ON THIS MEMORANDUM TO THE EFFECT THAT THE ABOVE INFORMATION HAD BEEN GIVEN TO MR. TUOHY OF NYO. WITNESS WAS THEREAFTER QUESTIONED BY PALMER AS TO ANY PRECAUTIONS HE TOOK TO ASSURE HIMSELF THAT HE WAS NOT ARRANGING FOR DESTRUCTION OF RECORDS CONTAINING CUTS OTHER THAN COPLON CUTS WHICH MIGHT BE OF VALUE TO OTHER INVESTIGATIONS. WITNESS ANSWERED THAT IN LIGHT OF CUSTOM CALLING FOR A NOTATION ON THE DISC ENVELOPE

Approved: 
Special Agent in Charge

Sent _____ M Per _____

b7E

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 3 -

1/12/50

Transmit the following Teletype message to:

TO THAT EFFECT AND SINCE THERE WERE NO SUCH NOTATIONS, HE WAS CERTAIN THAT THEIR PRESERVATION WAS NOT DESIRED IN CONNECTION WITH ANY OTHER INVESTIGATION. DEFENSE COUNSEL POMERANTZ THEN QUESTIONED WITNESS AS TO HIS INSTRUCTIONS FROM MR. BELMONT. WITNESS ANSWERED HE WAS TOLD BY MR. BELMONT TO ARRANGE FOR DESTRUCTION OF ALL PHONOGRAPHIC DISCS AND NOTES CONCERNING COPLON TAP. WITNESS WAS ASKED BY JUDGE AS TO TOTAL NUMBER OF DISCS WHICH HE SET ASIDE FOR DESTRUCTION ON NOVEMBER TENTH. (WITNESS ANSWERED THERE WERE NOT MORE THAN ONE DOZEN IN GROUP TO BE DESTROYED. WITNESS WAS LATER ASKED APPROXIMATE NUMBER OF DISCS ON LIST WHICH HE HAD BEEN KEEPING SINCE JULY TWELFTH CONCERNING COPLON TAP. (HE ANSWERED THAT THAT LIST CONTAINED NUMBERS OF APPROXIMATELY SEVENTY TO EIGHTY DIFFERENT DISCS. DEFENSE COUNSEL POMERANTZ ASKED WITNESS IF [REDACTED]

b7E

[REDACTED] THEREAFTER, ON APPLICATION OF POMERANTZ, JUDGE STATED HE WOULD CONDUCT ADDITIONAL REVIEW OF COURT EXHIBIT NUMBER FORTY SIX, TO WHICH HE HAD PREVIOUSLY DENIED ACCESS TO DEFENSE COUNSEL. THIS EXHIBIT INCLUDED ALL ORIGINAL RECORDS EXISTING IN NYO ON BASIS OF WHICH THE SUMMARY OF TELEPHONE INTERCEPTIONS FROM THE TAP ON THE COPLON RESIDENCE, NYC, WHICH WAS SUBMITTED EARLIER AS EXHIBIT IN THIS CASE, HAD BEEN PREPARED. } JUDGE STATED HE WOULD SPECIFICALLY REVIEW COPIES OF LETTERS TO BUREAU PREPARED BY WITNESS AVIGNONE WHICH SUMMARIZED INFO FROM CONFIDENTIAL INFORMANT TIGER, TO DETERMINE IF DEFENSE COUNSEL SHOULD HAVE ACCESS THERETO.

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 4 -

1/12/50

Transmit the following Teletype message to:

DEFENSE COUNSEL POMERANTZ STATED THAT HE DESIRED TO SUBPOENA STENOGRAPHER WHO HAD TAKEN DICTATION ON BUREAU MEMORANDUM REFERRED TO ABOVE ON NOVEMBER SEVENTH WHOSE INITIALS WERE "TLC". FURTHERMORE, JUDGE STATED THAT HE WOULD TREAT MR. POMERANTZ' APPLICATION AT NEXT SESSION. MR. POMERANTZ THEN STATED THAT HE DESIRED TO BRING IN HANDWRITING EXPERT TO EXAMINE BUREAU MEMO OF NOVEMBER SEVENTH, FORTY NINE, REFERRED TO ABOVE, IN ORDER TO TESTIFY RE WHAT POMERANTZ CLAIMS ARE CLEAR INDICATIONS THAT THE DATE ON THAT MEMO HAD BEEN CHANGED FROM NOVEMBER TWENTYFIRST TO NOVEMBER SEVENTH. COURT ADJOURNED AT FOUR TWENTY PM UNTIL TEN THIRTY AM TOMORROW.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

**Federal Bureau of Investigation
United States Department of Justice**

New York, N. Y.
January 12, 1950

MEMO:

RE: JUDITH COPLON
ESPIONAGE R.

At 1:15 PM today I advised Mr. Fletcher of the Bureau of developments this morning at the trial, as follows:

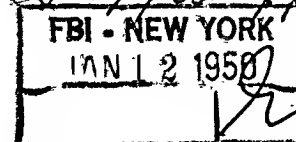
The two witnesses were John Ware and Sophie Saliba; that Mrs. Saliba is not quite through, and the Judge instructed at the morning recess that she produce her books which reflected the receipt and the destruction of recordings; that these were obtained during the recess and given to the Judge, covering the period since early January 1949, and contain on the outside of the envelope the usual notation that they are confidential, relate to Internal Security cases; that the Judge looked them over and refused access to the defense, and the defense put up an objection and Pomerantz said that he wanted a comparison of the destruction of records for the first part of 1949 and the last part of 1949 because the trial in Washington would have caused us up here to destroy these recordings and he wanted to see if there was an increase in the destruction. The Judge told Mrs. Saliba to prepare such a schedule and she is to give it to the Court for his perusal. Mr. Kelly pointed out that that was entirely outside of the scope of this and brought in other matters. I advised that I felt this would work out OK; that Mrs. Saliba is to prepare the schedule and submit it either late this afternoon or tomorrow morning.

Pomerantz announced to the Court that he had had a subpoena served on Mr. McHugh, head of the Telephone Company here, for return at 10:30 tomorrow morning. I further advised that I had had a very brief talk with Irving Saypol who said everything was all right, and I will follow up on that and find out what he means, (apparently that McHugh will get on the stand and there will be no questions allowed,) and advise Mr. Fletcher.

Pomerantz also said he wanted Granville and Miller and they are standing by. Palmer wanted Lamphere and Miller and will submit his list of other names tomorrow, the Judge having allowed him another day to submit the list in view of the volume of this hearing. Palmer also demanded the appearance of Harold Shapiro, and Kelly said that throughout the trial in Washington the Government consistently held that if Palmer wanted Shapiro as a witness he could subpoena him and if Palmer wanted Shapiro he should get him. This ended with the Judge instructing that Shapiro be up here tomorrow morning as Palmer's witness. I advised the angle on this is that Palmer wants to find out

AHB:MT

MR. SCHEIDT	
MR. BELMONT	
MR. WHELAN	
MR. COLLIER	
MR. CONNELLEY	
MR. GARDNER	
MR. LADD	
MR. NICHOLS	
MR. ROSEN	
MR. TRACY	
MR. Egan	
MR. Gurnea	
MR. Harbo	
MR. Hendon	
MR. Pennington	
MR. Quinn	
MR. Nease	
MR. Gandy	
CLERK	
CLERK	
TRAINING UNIT	



if Shapiro was working with Agents of the FBI or Mr. Whearty and listening to telephone conversations made by Coplon or having an Agent sit with him while he made calls to Coplon.

I further advised that Bedford is here and will probably go on this afternoon; that Lamphere will have to come up for tomorrow. Mr. Fletcher said he would handle this. The Court ordered him to be available.

I further advised that all of our reports that we submitted in the box have been denied to the defense and returned to Mr. Kelly, who gave them to me with the suggestion that I put them away somewhere intact earmarked as an exhibit; that the reports were not returned for our files, but Kelly said we should hold them aside and not put them in the files yet, so that if any question comes up later we will have them intact.

Mr. Fletcher inquired as to any notations made by the Court on the memorandum. I advised I had not looked at it yet and would advise him later.

I advised that Ware had testified that he destroys recordings, had been doing so for seven years, didn't know how many there were, didn't know whether they were labeled, and that he cut them up and took them over to Hackensack and burned them, and didn't remember anything as to the last bunch received, how many were received, and said he never counted them; that Mrs. Saliba was also questioned as to the destruction of records and she said "periodically"; that this will come up further when Avignone testifies that he sent them up for destruction; that Mr. Fletcher's testimony as to destruction is in the record on December 13th, which is more than a month after they were sent down for destruction.

A. H. BELMONT
ASAC

Federal Bureau of Investigation
United States Department of Justice
New York, New York

January 12, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

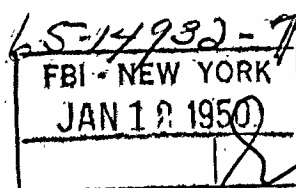
MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LADD
MR. ROSSAULT
MR. TOLSON
MR. TRACY
MR. WATSON
MR. WEAVER
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

At 5:10 pm on January 11, I advised Mr. H. B. Fletcher of the Bureau that Agents Delavigne and Payne of the Washington Field Office had appeared as witnesses. The questions on direct examination were to establish that they had received the information relative to COPLON's movements from an independent source. The cross-examination was an attempt to show that they relied on information from telephone taps for knowledge of COPLON's activities. Agent Mendenhall was not called as a witness. I advised Mr. Fletcher that Agents Delavigne, Payne and Mendenhall had received clearance from Mr. Kelley and Mr. Whearty to return to Washington tonight.

Mr. Fletcher was advised that the judge stated he was going to allow testimony on the destruction of the records in New York and mentioned that there would be three witnesses. Mr. Kelley stated that these witnesses would be Mrs. Saliba, John Ware and SA Arthur Avignone. After SA Avignone testified, I will probably be called to the stand. Agent Bedford will arrive from Phoenix tonight. The court asked the defense attorneys how many more witnesses they wanted to call. Attorney POMERANTZ advised he wanted to call SA T. S. Miller for five minutes, adding that he did not know whether the court would allow him to ask the question he had in mind. He stated he would be glad to pose the question at that time and thereby possibly it would not be necessary for him to call Miller as a witness. The court stated it would not rule on the question until Miller was called to the stand and the question asked. Attorney PALMER stated he wanted five agents from Washington and when POMERANTZ stated he may not need Agent Miller, PALMER said he would need him. PALMER also wanted to call two Special Employees from Washington to ask if they were employees of the telephone company as the judge had not allowed him to ask that question before. The judge informed PALMER he would rule the same way if the question were asked again. The judge instructed PALMER to give him a list of the witnesses he expected to call tomorrow morning along with the line of questioning he expects to follow.

I advised Mr. Fletcher that the court indicated that, aside from the balance of the hearing on wire tapping, the only issue that remains is POMERANTZ' motion to suppress the documents and early statements made after

cc - 65-14939 (Gubitchev)
AHB:CTC
65-14932



MEMO

NY 65-14932

January 12, 1950

the arrest and dismissal on the basis of illegal arrest. The court indicated a ruling would be made on this issue and that the hearings would end this week. I informed Mr. Fletcher that no recordings were heard in the judge's chambers this afternoon. POMERANTZ said that in view of the court's ruling that any results obtained through POMERANTZ' expert would be heard by the government attorneys, he did not want to undertake to get this on a tape or go further with the matter.

I advised Mr. Fletcher that Agent Leonard from the Washington Field Office was still here and that Mr. Kelley is of the opinion that, in view of the fact that PALMER might possibly ask for additional hearings on the records, it would be well for Agent Leonard to remain in New York until the completion of the hearings.

I referred Mr. Fletcher to POMERANTZ' previous attempt to subpoena a representative of the American Telephone and Telegraph Company from Washington. Mr. Fletcher was advised that today POMERANTZ stated that he understood that he did not have to have the judge's permission to issue such a subpoena. He wanted to know if the judge would take umbrage if he did subpoena such an official. The judge stated it was up to him but he was merely indicating that any evidence obtained from such a source would not be admissible. POMERANTZ indicated he would subpoena such an individual and put him on the stand, but the judge indicated he just would not allow any questions. Mr. Fletcher was advised that the judge stated he had reviewed about one third of the FBI reports and that from what he had seen thus far, he was not going to allow the defense to see any of them.

A. H. BELMONT

ASAC

Federal Bureau of Investigation
United States Department of Justice
New York, New York

January 13, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

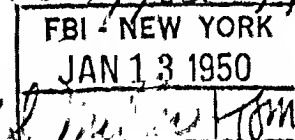
I called Mr. Leo Laughlin of the Bureau at 1:30 pm today and advised him that during this morning's session, which convened at 10:30, Bureau memorandum dated November 7 to Mr. Ladd from Mr. Fletcher was turned over to a Bureau document examiner and Mr. ORDWAY HILTON, an expert brought in by Mr. POMERANTZ. Later POMERANTZ stated he would not put the expert on the stand and will concede that the memorandum was dated October 31. The judge then said that he wanted as witnesses the stenographer who took the dictation on the memorandum of November 7 and Mr. Fletcher.

The next witnesses were two officials of the New York Telephone Company, Mr. OSCAR M. TAYLOR, Executive Vice President in charge of operations, and EDWARD L. BRAUNE, an agent of the Telephone Company who handles liaison. These men testified that they knew of nothing about FBI wire tapping or did they know of any records of the Telephone Company pertaining thereto and did not believe there were any.

Next witness was SA Arthur Avignone and there was turned over to the defense counsel a series of 11 letters which he had dictated commencing July 20 and ending October 31, 1949. I explained that the entire contents of 7 of these letters were turned over and that parts of the other four had been deleted at the judge's instructions and we had prepared photostatic copies. The judge explained that he was denying access to parts of these 4 letters because they did not come within the scope of this inquiry and it would constitute unwarranted disclosure of information on the operations and techniques of the FBI. Judge Ryan, on his own initiative, then brought out the continuity of dates of the 11 above letters.

PALMER then questioned the witness as to whether the records bore the number "512", to which Avignone replied in the negative. POMERANTZ then asked if there was anything re national defense in these letters. Avignone replied it was up to someone besides himself to decide this. Mr. Kelley then asked Avignone if when he was questioned yesterday re recalling November 10 because "they were unusual instructions", it was within his own experience or whether he referred to FBI operations, and he replied that it was within his own experience. POMERANTZ then questioned Avignone and

cc - 65-14939 (Gubitchev)
ERG:CTC
65-14932



NY 65-14932

January 13, 1950

asked him to elaborate on this and Avignone replied that it was a deviation from his customary activities with the FBI since he had never previously had experience with handling information from wire taps. Court recessed at 12:50 pm and will reconvene at 2:20 pm.

I explained that Mrs. SOPHIE SALIBA will be the next witness and that, on the instructions of the court, she had prepared a schedule of the number of discs which she had destroyed over the last year plus two months period of time. These months were November and December, 1948; February, March and May through December, 1949. I explained that these would be turned over to the court this afternoon.

R. R. GRANVILLE
Supervisor

New York, New York

January 13, 1950

MEMO

RE: ROBERT SOLBY
BOSTON FILE 47-1767

The following evidence relative to ROBERT SOLBY was furnished to SAAG Whearty, as per his request, this morning:

Five (5) photographs of ROBERT SOLBY;
Social Security Card 015-24-3090;
Army Identification Card for SOL B. LEVINE;
Photostat of Military Record Report of Separation, Captain
ROBERT SOLBY;
Temporary appointment card, Major (Captain) United States Army,
November 16, 1946;
Copy of letter dated May 13, 1947 from KENNETH M. ROSE;
Copy of letter dated May 14, 1947 from KENNETH M. ROSE;
Letter dated May 14, 1947 from KENNETH M. ROSE;
Letter dated May 7, 1947 from R. T. GOODMAN;
Rough draft copy of apparently a petition for Civil Air Patrol,
undated;
Mimeographed copy, undated, of a prospectus for the Civil Air
Patrol;
War Department Order dated March 20, 1947.

R. R. GRANVILLE
Supervisor

cc - NY 65-14932 (Judith Coplon)

RRG:CTC

65-14932-974

FBI - NEW YORK
JAN 13 1950

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

MR. SCHEIDT D-36
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. TUCKER
NEW YORK NEW YORK
JANUARY 1950
MR. MARCHESSAULT
MR. HAGAN
NIGHT SUPERVISOR
MR. KING
MR. WALSH
CHIEF CLERK
PROPERTY CLERK
JANUARY 1950

Transmit the following Teletype message to: BUREAU AND WASHINGTON FIELD URGENT
JUDITH COPLON, ESPIONAGE R. AT THE OUTSET OF THE MORNING SESSION THIS DATE
JUDGE RYAN PERMITTED MR. ORDWAY HILTON, DOCUMENT EXPERT BROUGHT IN BY POMERANTZ
TO EXAMINE BUREAU MEMO OF NOVEMBER SEVEN FORTYNINE ON WHICH THERE IS AN APPARENT
ALTERATION. THIS EXAMINATION WAS CONDUCTED IN PRESENCE OF BUREAU DOCUMENT EXPERT
WEBB. LATER IN THE SESSION POMERANTZ TOLD COURT THAT HE WOULD NOT PUT HIS EXPERT
ON THE WITNESS STAND, BUT THAT HE WOULD CONCEDE THAT THE ALTERATION WAS FROM A
DATE OF OCTOBER THIRTYONE. JUDGE STATED THAT NEVERTHELESS HE DESIRED THAT THE
BUREAU STENOGRAPHER CUDDY AND INSPECTOR FLETCHER TESTIFY AS TO THE REASON FOR
THE ALTERATION. FIRST WITNESS WAS MR. OSCAR M. TAYLOR, EXECUTIVE VICE PRESIDENT,
NY TELEPHONE COMPANY WAS CALLED BY POMERANTZ. WITNESS STATED HE HAD NO KNOWLEDGE
OF ANY WIRE TAPPING ARRANGEMENT BY HIS COMPANY WITH THE FBI, THAT HE KNEW NOTHING
REGARDING COPLON AND GUBITCHEV TAPS, AND KNEW OF NO RECORDS CONCERNING SAME.
NEXT WITNESS CALLED BY POMERANTZ WAS MR. EDWARD L. BRAUNE, LIAISON AGENT FOR
THE TELEPHONE COMPANY WITH STATE, MUNICIPAL AND FEDERAL AGENCIES OTHER THAN THE
FBI, TESTIFIED THAT HE HAD NO ASSOCIATION WITH THE FBI CONCERNING WIRE TAPPING,
THAT HE KNEW OF NO RECORDS IN HIS COMPANY CONCERNING WIRE TAPPING BY THE FBI,
AND HE KNEW NOTHING ABOUT THE COPLON AND GUBITCHEV TAPS. THEREAFTER THE JUDGE
TOOK UP THE MATTER OF THE NY LETTERS TO THE BUREAU IN THIS CASE SETTING OUT
SUMMARIES OF INFORMATION FROM CONFIDENTIAL INFORMANT [] THOSE LETTERS
ELEVEN IN NUMBER START WITH JULY TWENTY FORTYNINE AND END WITH OCTOBER THIRTYONE
FORTYNINE. THE JUDGE MADE ACCESSIBLE TO DEFENSE COUNSEL SEVEN OF THESE LETTERS

CC: 65-14939

JMon:DAA
65-14932 (#6)

Approved: *ES*

Special Agent in Charge

Sent *423*

Per *Reed*

65-14932-775

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, NEW YORK
JANUARY 13, 1950

- 2 -

Transmit the following Teletype message to: BUREAU AND WFO

IN THEIR ENTIRETY AND PORTIONS OF THE REMAINING FOUR LETTERS. THEREAFTER, SA ARTHUR AVIGNONE WAS RECALLED TO THE STAND. UNDER QUESTIONING BY POMERANTZ THE WITNESS STATED THAT HE DID NOT ADVISE MRS. SALIBA WHO HAD CUSTODY OF THE PHONOGRAPHIC DISCS THAT HE WAS SETTING ASIDE SOME FOR DESTRUCTION ON NOVEMBER TEN FORTYNINE, THAT IN FACT, HE DID NOT KNOW THAT A RECORD WAS KEPT OF RECORDS EARMARKED FOR DESTRUCTION. THE JUDGE THEREAFTER BROUGHT OUT THE CONTINUITY OF DATES OF AVIGNONE'S LETTERS TO THE BUREAU SUMMARIZING INFORMATION FROM DURING THE PERIOD THAT INFORMANT WAS IN OPERATION. LATER DEFENSE COUNSEL PALMER EXHIBITED TO THE WITNESS BUREAU MEMO OF NOVEMBER SEVEN FORTYNINE FROM FLETCHER TO LADD AND DIRECTED THE WITNESS' ATTENTION TO THE ROUTING STAMP ON THAT MEMO. PALMER INQUIRED OF THE WITNESS IF THE CHECK MARKS AFTER TOLSON AND LADD NAMES DID NOT INDICATE THAT THAT MEMO HAD COME TO THEIR ATTENTION. WITNESS INDICATED THAT HE ASSUMED SO BUT WAS NOT ACQUAINTED WITH OPERATIONS AT THE BUREAU. PALMER THEN QUESTIONED THE WITNESS CONCERNING CERTAIN OF THE CONVERSATIONS SUMMARIZED IN NY LETTERS TO THE BUREAU WHICH SET FORTH INFORMATION RECEIVED FROM THEREAFTER SAAG KELLY QUESTIONED THE WITNESS CONCERNING WHAT THE WITNESS MEANT BY THE TERM "UNUSUAL" IN HIS TESTIMONY YESTERDAY AFTERNOON. KELLY ASKED THE WITNESS IF HE MEANT BY THAT TERM THAT IT WAS UNUSUAL WITHIN HIS OWN EXPERIENCE OR WITHIN FBI OPERATIONS. THE WITNESS ANSWERED THAT AT THE TIME THAT HE USED THIS WORD ON THE WITNESS STAND HE INTENDED IT TO REFER TO HIS OWN EXPERIENCE. THEREAFTER POMERANTZ FURTHER QUESTIONED THE WITNESS ON THE WORD "UNUSUAL" AND

b7E

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, NEW YORK
JANUARY 13, 1950

- 3 -

Transmit the following Teletype message to: BUREAU AND WFO

THE WITNESS ELABORATED THAT IT WAS UNUSUAL ^{PS} ~~BECAUSE~~ THE INSTRUCTIONS FROM BELMONT WERE UNUSUAL AS FAR AS HE WAS CONCERNED BECAUSE THAT CONSTITUTED A DEVIATION FROM HIS CUSTOMARY ACTIVITIES IN THE FBI SINCE HE HAD NEVER BEFORE HAD ANY CONNECTION WITH HANDLING INFORMATION FROM A WIRE TAP. QUESTIONING OF THE WITNESS AVIGNONE WAS COMPLETED. COURT ADJOURNED TWELVE FIFTY UNTIL TWO TWENTY THIS PM AND THE FIRST WITNESS IS EXPECTED TO BE MRS. SOPHIE SALIBA.

SCHEIDT

Approved: _____
Special Agent in Charge:

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

FD-36

MR. SCHEIDT
 MR. BELMONT
 MR. WHELAN
 MR. COLLIER
 MR. CRANVILLE
 MR. LUCHES
 MR. KENNEDY
 MR. LEVVIS
 MR. MARCHESSAULT
 MR. RAGAN
 NIGHT SUPERVISOR
 MR. KING
 MR. WALSH
 MR. WOLF
 CH. CLERK
 PROPERTY CLERK

NEW YORK, NEW YORK
 January 14, 1950

BUREAU ATT- MR. NICHOLS

Transmit the following Teletype message to:

9 JUDITH COPLON, INT. SECURITY R. THE FOLLOWING EDITORIAL APPEARED
 TODAY-S NEW YORK POST QUOTE PLOT AND COUNTER-PLOT. THE PLOT
 AS THE PRE-TRIAL HEARING IN THE COPLON CASE CONTINUES, THE
 THE FBI BECOMES MORE DAMAGING. WE KNOW THERE ARE SOME IN THE
 WHO FEEL THE DISCLOSURES ARE UNIMPORTANT, THEY BELIEVE A DEMOCRACY IS
 JUSTIFIED IN IMITATING THE METHODS OF THE RUSSIAN SECRET POLICE TO
 COMBAT RUSSIAN ESPIONAGE AND SABOTAGE, THEY ARE UNSHAKEN BY MOUNTING
 EVIDENCE THAT THE FBI CAPRICIOUSLY WINKS AT THE LAW TO GET ITS MAN,
 OR WOMAN. WE VEHEMENTLY DISAGREE AND WE THINK MOST AMERICANS SHARE
 OUR REVULSION AT THE DISCLOSURES ALREADY UNFOLDED. FIRST THERE WAS THE
 PERFORMANCE OF FBI AGENT RICHARD BRENNAN. IN THE FIRST COPLON TRIAL
 CONDUCTED IN WASHINGTON LAST SPRING BRENNAN WAS ASKED WHETHER HE KNEW
 THAT MISS COPLON-S WIRES WERE TAPPED. "I HAVE NO KNOWLEDGE OF SUCH,"
 SAID AGENT BRENNAN. HE GAVE THAT REPLY UNDER OATH LAST MAY. BUT IN
 THE CURRENT COPLON PROCEEDINGS BRENNAN WAS ASKED BY JUDGE RYAN, "TELL
 US WHEN WERE YOU FIRST ACQUAINTED WITH THE FACT THAT TELEPHONIC
 COMMUNICATIONS WERE INTERCEPTED IN THIS CASE." "IN THE LATTER PART
 OF FEBRUARY NINETEEN FORTYNINE," BRENNAN REPLIED. BRENNAN FURTHER
 TESTIFIED AT THE CURRENT HEARING THAT IT WAS FBI AGENT T. SCOTT MILLER
 WHO FIRST HANDED HIM RECORDS OF THE TAPS. YET AGENT MILLER WAS IN THE
 COURTROOM THROUGHOUT THE FIRST TRIAL WHILE THE DENIALS OF WIRE-TAPPING
 WERE MADE BY HIS FBI COHORTS. AFTER MILLER RECENTLY CONCEDED THAT HE

Approved: ES

Special Agent in Charge

Sent

5:00 PM

Per

MR

Jm

65-14932

65-14932-776

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

HEARD THE DENIALS, JUDGE RYAN ASKED HIM WHETHER HE HAD NOT FELT OBLIGED AS AN ATTORNEY TO SPEAK UP. "NO SIR, I DID NOT," SAID MILLER STOUTLY. AS WE HAVE NOTED ON EARLIER OCCASIONS, THE PRE-TRIAL HEARING HAS ALSO PRODUCED UNHAPPY CONFESSIONS BY FBI OFFICIALS THAT THEY TAPPED TELEPHONE CONVERSATIONS BETWEEN MISS COPLON AND ARCHIBALD PALMER, HER ATTORNEY, VIOLATING THE SANCTITY OF THE LAWYER-CLIENT RELATIONSHIP. ALL THESE ADMISSIONS WERE THE PRELUDE TO AN EVEN MORE INTRIGUING DEVELOPMENT. A CONFIDENTIAL FBI MEMORANDUM JUST PRESENTED TO THE COURT SHOWS THAT A RANKING FBI OFFICIAL ORDERED A SUBORDINATE TO DESTROY ALL RECORDS OF THE TELEPHONE TAPS ON MISS COPLON-S WIRE "BECAUSE OF THE IMMINENCE OF HER TRIAL." THIS STATEMENT IS PARTICULARLY NOTEWORTHY BECAUSE, SEVERAL DAYS EARLIER, FBI SPOKESMEN CASUALLY TESTIFIED THAT SOME RECORDS WERE DESTROYED AS A MATTER OF "ROUTINE." NOW IT SEEMS THAT THE ROUTINE HAD THE FLAVOR OF AN EMERGENCY, THE FBI MEMORANDUM, WHICH SOME AGENT NEGLIGENTLY FORGOT TO DESTROY, READS LIKE THE FURTIVE, PANIC-STRICKEN COMMUNICATION OF LAWBREAKERS WHO FEAR THEIR GAME IS UP. THE WHOLE BUSINESS HAS A DREADFUL ODOR. J. EDGAR HOOVER IS FOND OF BRANDING HIS CRITICS AS SUBVERSIVE, YET THE DETAILS OF THE FBI PERFORMANCE PROVIDE ENORMOUS PROPAGANDA VALUE FOR THE COMMUNISTS AS THEY PAINT THEIR HARROWING AND DISTORTED PICTURE OF "POLICE-STATE" AMERICA. THROUGHOUT ITS CURRENT EMBARRASSMENT THE FBI IS CAUGHT IN A TRAGIC-COMIC DILEMMA. ON THE ONE HAND IT RHETORICALLY

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

JUSTIFIES WIRE-TAPPING AS VITAL TO OUR NATIONAL SECURITY AND ATTORNEY
GENERAL MCGRATH ECHOED THIS CLAIM LAST WEEK. SIMULTANEOUSLY THE
GOVERNMENT PROSECUTORS ARE LABORIOUSLY TRYING TO PROVE THAT THEIR
CRUCIAL EVIDENCE AGAINST MISS COPLON AND VALENTIN GUBITCHEV DOES NOT
STEM FROM THE TAPPED WIRED, JUDGE RYAN HAS PLAINLY INDICATED THAT HE
WILL THROW THE CASE OUT OF COURT UNLESS THE GOVERNMENT PROVES THAT
POINT. THUS THE G-MEN STUMBLE OVER EACH OTHER AND TRAP THEMSELVES,
ALTERNATELY TRYING TO DEFEND AND DENY THEIR VIOLATIONS OF THE LAW.
CRIME DOESN-T PAY. UNQUOTE.
SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE
NEW YORK
JANUARY 13, 1950

MR. SCHEIDT
MR. BELMONT
MR. WELLS
MR. COLLIER
MR. GRANVILLE
MR. LUGHESE
MR. KENNEDY
MR. EVVIS
MR. CHRESSAULT
MR. HANAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WHELAN
MR. WOLL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU, WASHINGTON. **FREE - URGENT**

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. AT AFTERNOON SESSION.

SOPHIE SALIBA, HEAD OF TRANSLATION UNIT, NYO, WAS RECALLED TO STAND. UNDER QUESTIONING BY DEFENSE COUNSEL PALMER, SHE STATED SHE HAD NO RECOLLECTION OF SA AVIGNONE BEING IN HER UNIT ON NOVEMBER TENTH, FORTY NINE IN CONNECTION WITH EARMARKING RECORDS FOR DESTRUCTION. THEREAFTER THERE WAS PUT IN EVIDENCE LIST PREPARED BY MRS. SALIBA CONSISTING OF COMPILATION OF NUMBER OF RECORDS DESTROYED AND THE DATES DESTROYED STARTING WITH NOVEMBER, FORTY EIGHT AND CONTINUING THROUGH END OF FORTY NINE. UNDER QUESTIONING BY DEFENSE COUNSEL POMERANTZ, WITNESS STATED THAT THOUGH AGENTS MIGHT GO TO TRANSLATION UNIT AND TAKE DISCS FROM RACKS TO PLAY BACK IN NORMAL COURSE OF BUSINESS OPERATIONS, SHE WOULD ADMIT THAT IT WAS SOMEWHAT OF A DEVIATION FROM NORMAL ROUTINE IN HER OFFICE THAT AN AGENT SHOULD, ON HIS OWN, REMOVE RECORDS FROM RACKS AND EARMARK THEM FOR DESTRUCTION. NEXT WITNESS WAS MR. JOHN L. WARE, CHAUFFEUR, WHO WAS ASKED IF HE COULD RECALL PICKING UP RECORDS FOR DESTRUCTION ON NOVEMBER SIXTEENTH, FORTY NINE. WITNESS SAID HE HAD NO RECOLLECTION TO THAT EFFECT. NEXT WITNESS WAS MISS THERESA L. CUDDY, SECRETARY TO INSPECTOR H. B. FLETCHER OF BUREAU. UNDER QUESTIONING BY SAAG KELLEY, WITNESS REVIEWED HER STENOGRAPHIC NOTEBOOK FOR SHORTHAND NOTES OF MEMORANDUM DICTATED TO HER BY INSPECTOR FLETCHER WHICH BORE ALTERED DATE OF NOVEMBER SEVENTH, FORTY NINE. WITNESS DISCOVERED NOTES ON THAT MEMORANDUM UNDER DATE OF OCTOBER THIRTY FIRST, FORTY NINE AND STATED THAT THE CONTENT AND PUNCTUATION WERE IDENTICAL. THEREAFTER, WITNESS PRODUCED CARBON COPY

Approved: 65-14939 (Gubitchev)

Special Agent in Charge

Sent

Per

65-14932-777

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

1/13/50

Transmit the following Teletype message to:

OF MEMORANDUM WHICH SHE TYPED FROM AFOREMENTIONED SHORTHAND NOTES, WHICH COPY BORE DATE OCTOBER THIRTY FIRST. JUDGE STATED THAT, AFTER COMPARING MEMORANDUM DATED NOVEMBER SEVENTH AND THE PURPORTED COPY WHICH BORE THE DATE OCTOBER THIRTY FIRST, HE FELT SURE THAT THE LATTER WAS A CARBON COPY OF THE FORMER. WITNESS STATED SHE WAS CERTAIN SHE HAD NOT CHANGED THE DATE ON THE ORIGINAL BUT ON OCCASIONS SHE HAD CHANGED DATES ON CORRESPONDENCE TYPED UP BY HER. AFTER TESTIMONY OF THIS WITNESS, JUDGE STATED HE WAS SATISFIED THAT THE ALTERATIONS OF THE DATE ON THE BUREAU MEMORANDUM FROM INSPECTOR FLETCHER TO MR. LADD HAD NOT BEEN EFFECTED FOR PURPOSE OF DECEIVING COURT AND HE FELT THAT NO FURTHER TESTIMONY IN THIS REGARD WOULD BE REQUIRED. NEXT WITNESS WAS SA LYNN W. BEDFORD WHO TESTIFIED CONCERNING HIS ACTIVITIES AS A MONITOR OF THE COPLON OFFICE TELEPHONE AND MICROPHONE INSTALLATIONS THEREIN. WITNESS TESTIFIED AS FAR AS HE KNEW THE RECORDING INSTRUMENT UTILIZED BY HIM AT THAT TIME WAS IN WORKING CONDITION. TESTIFIED FURTHER THAT HIS HANDWRITTEN LOG OF HIS MONITORING ACTIVITIES INCLUDED ONLY WHAT WAS AUDIBLE AND THAT HE DID NOT RECORD ANYTHING THAT WAS NOT AUDIBLE BY EAR PHONE. WITNESS STATED HE WAS AWARE THAT THERE WERE OCCASIONS WHEN MICROPHONE CONVERSATIONS WHICH WERE AUDIBLE BY EAR PHONE AND WHICH HE HAD RECORDED WERE NOT INTELLIGIBLE WHEN PLAYED BACK FROM PHONOGRAPHIC DISCS. HE FURTHER STATED THAT HIS INSTRUCTIONS AS TO HIS MONITORING ^{Notes} ~~Notes~~ WERE THAT HE SHOULD RECORD EVERYTHING THAT WAS AUDIBLE. HE FURTHER STATED THAT HE HAD NEVER ATTEMPTED TO MUTILATE OR TO MAKE INDISTINCT ANY PHONOGRAPHIC DISCS AND THAT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 3 -

1/13/50

Transmit the following Teletype message to:

HE HAD NO KNOWLEDGE OF ANYONE DOING SUCH. CONCERNING THE CONVERSATION OF MR. WILLIAM FOLEY WITH MISS COPLON ON MARCH FOURTH CONCERNING THE DECOY MEMORANDUM, WITNESS STATED THAT HE HAD NEVER HEARD SUCH A CONVERSATION BUT DOES RECALL THAT ON THAT DATE BETWEEN NINE TEN AM AND TEN TWENTY NINE AM, THERE WERE ROOM SOUNDS IN COPLON'S OFFICE WHICH WERE INAUDIBLE. DEFENSE COUNSEL PALMER EXAMINED THE WITNESS AT LENGTH ON BASIS OF THE TYPED (4) SUMMARY PREPARED FROM RECORDS MADE AT MONITORING PLANT ON COPLON'S OFFICE. QUESTIONING OF THIS WITNESS WAS NOT COMPLETED AND WILL BE CONTINUED AT NEXT SESSION. COURT ADJOURNED AT FOUR TWENTY PM THIS DATE UNTIL TEN THIRTY AM MONDAY, JANUARY SIXTEENTH.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M. Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK

JANUARY 16 1950

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. URGENT
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. COURT CONVENED AT TEN THIRTY AM. FIRST WITNESS WAS SA LYNN W. BEDFORD WHO WAS RECALLED WITNESS WAS QUESTIONED IN DETAIL BY DEFENSE COUNSEL PALMER AS TO PROCEDURE OF RECORDING MICROPHONE AND TELEPHONE CONVERSATIONS ~~AND IN~~ FROM COPLON'S OFFICE, THE ROUTINE OF MAKING LOGS OF CONVERSATIONS INTERCEPTED AND OVERHEARD, AND ROUTINE OF MARKING PHONOGRAPHIC DISCS FOR IDENTIFICATION. UNDER QUESTIONING, WITNESS STATED THAT HE RECALLED THAT ON MARCH FOURTH, FORTY NINE, AT SOME TIME EARLY IN MORNING OF THAT DATE, THERE WAS CONVERSATION IN COPLON'S OFFICE BETWEEN DEFENDANT AND A MAN, BUT THAT CONVERSATION WAS SO INAUDIBLE THAT HE WAS NOT ABLE TO IDENTIFY THE MAN NOR ANY PORTION OF CONVERSATION. UNDER QUESTIONING BY DEFENSE COUNSEL POMERANTZ, WITNESS STATED THAT HE HAD ON NUMBER OF OCCASIONS OVERHEARD MR. FOLEY IN COPLON'S OFFICE AND HAVE BECOME ACQUAINTED WITH WOULD ~~HAVE BEEN ABLE TO RECOGNIZE~~ THAT VOICE. WITNESS STATED THAT HE RECALLED THAT FOLEY'S VOICE WAS NEVER TOO DISTINCT AND DID NOT HAVE TONAL QUALITIES WHICH ASSURED IT OF BEING AT ALL TIMES AUDIBLE. WITNESS EMPHASIZED THAT PERCEPTION BY EARPHONE WAS AT ALL TIMES MUCH GREATER THAN PERCEPTION FROM PHONOGRAPHIC DISC. NEXT WITNESS WAS MR. HAROLD SHAPIRO OF DJ, WHO WAS CALLED AND QUESTIONED BY PALMER. QUESTIONING OF THIS WITNESS WAS STRICTLY LIMITED BY JUDGE RYAN. WITNESS TESTIFIED THAT HE HAD BEEN FRIEND OF COPLON SINCE ABOUT SEPTEMBER, FORTY EIGHT AND HAD ASSOCIATED WITH HER SOCIALLY SOMEWHAT CONTINUOUSLY SINCE THAT TIME. STATED HIS FIRST KNOWLEDGE OF COPLON'S

cc - 65-14939 (Gubitchev)

JMO:M:CTC

65-14932

Approved: RRB

Special Agent in Charge

Sent

312 PM

Per

LB

65-14932-778dd

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

1/16/50

Transmit the following Teletype message to:

ALLEGED INVOLVEMENT IN RUSSIAN ESPIONAGE WAS OBTAINED FROM NEWSPAPERS ON DAY FOLLOWING HER ARREST. STATED HE WAS INTERVIEWED BY AGENTS OF FBI ON AFTERNOON OF MARCH FIFTH AT HIS HOME AND THAT ON APPROXIMATELY MARCH NINTH HE VOLUNTARILY WENT TO MR. WHEARTY, HIS SUPERIOR, AND DISCLOSED HIS FRIENDSHIP WITH DEFENDANT COPLON. STATED THAT AT TIME OF INTERVIEW BY WHEARTY HE WAS NOT ADVISED, NOR DID HE KNOW, THE FACT OF TELEPHONE INTERCEPTION. FURTHER STATED THAT HE WAS NOT ADVISED BY INTERVIEWING BUREAU AGENTS THAT HIS TELEPHONE CONVERSATIONS AND MICROPHONE CONVERSATIONS WITH COPLON HAD BEEN INTERCEPTED AND RECORDED, THOUGH HE SUSPECTED THAT SUCH MIGHT HAVE BEEN THE CASE. WITNESS STATED THAT AT TIME OF FIRST INTERVIEW BY BUREAU AGENTS, HE WAS UNDER IMPRESSION THAT COPLON HAD TOLD BUREAU SOME FACTS REGARDING HER ASSOCIATION WITH HIM. UNDER QUESTIONING BY THE JUDGE, WITNESS STATED THAT HE HAD NEVER AT ANY TIME ENTERED INTO OR CONTINUED HIS ASSOCIATION WITH DEFENDANT COPLON AT THE INSTRUCTION, BEHEST OR INSISTENCE OF FBI OR OF HIS SUPERIORS IN DJ. STATED THAT HE WAS NEVER AWARE THAT ANY OF HIS CONVERSATIONS WITH DEFENDANT COPLON WERE BEING RECORDED AND THAT HE HAD NOT COLLUDED IN ANY WAY WITH FBI OR DJ IN AN EFFORT TO ENTRAP DEFENDANT. COURT ADJOURNED AT TWELVE FORTY PM UNTIL TWO TEN PM THIS DATE. NEXT WITNESS WHO IS EXPECTED WILL BE SA T. S. MILLER, JR.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

Federal Bureau of Investigation
United States Department of Justice
New York, New York

January 17, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

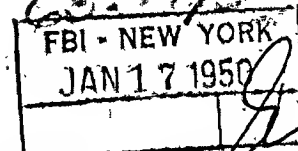
On the afternoon of January 16, 1950, I mentioned to Mr. H. D. Fletcher of the Bureau that the Director's press release relative to wire taps received quite a bit of publicity in the "New York Post" today. The headline on the front page "G-Man Hoover Says: 'FBI Taps Only 170 Phones'" was read to Mr. Fletcher and I advised him that the article, a copy of which is attached hereto, was very factual.

A. H. BELMONT
ASAC

Att.

AHB:CTC
65-14932

*for New York
C. J. [unclear]*



FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK

JANUARY 16 1950

MR. SCHEIDT
MR. BELMONT
MR. WHELAN 6
MR. COLLIER
MR. CROWLEY
MR. EUGEN
MR. KENNEDY
MR. DEWIS
MR. MARCHESSAULT
MR. ROYAN
NIGHT SUPERVISOR
MR. KING
MR. TUCKY
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT
JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. AT OUTSET OF AFTERNOON SESSION, PALMERTZ REQUESTED SA LEO GAUTHIER BE CALLED AS WITNESS AND THAT INSPECTOR H. B. FLETCHER BE RECALLED AS WITNESS. JUDGE REQUESTED GOVERNMENT TO PRODUCE BOTH THESE INDIVIDUALS TOMORROW MORNING. FIRST WITNESS WAS SA T. S. MILLER WHO STATED HE STARTED SUMMARIZING AND PLAYING BACK CONVERSATIONS INTERCEPTED ON COPLON NY TELEPHONE TAP IN EARLY FEBRUARY, FORTY NINE. WITNESS STATED IT WAS HIS CUSTOM ON RECEIVING MONITORS' LOGS OF TELEPHONE CONVERSATION TO PLAY BACK THE TELEPHONE CONVERSATION FROM RECORD TO MAKE ANY ADDITIONAL NOTES NECESSARY AND AFTER INCORPORATING COMPLETE SUMMARY OF THE CALLS IN HIS INVESTIGATIVE REPORT TO DESTROY ALL HANDWRITTEN NOTES AND SUMMARIES. CONCERNING ACTUAL PHONOGRAPHIC DISCS, WITNESS STATED THAT HE MADE NO NOTATION REQUESTING THEIR RETENTION WITH RESULT THAT RECORDS WERE DESTINED FOR DESTRUCTION IN NORMAL COURSE OF EVENTS. WITNESS STATED THAT IN EARLY PART OF DECEMBER, FORTY NINE HE WAS ASKED BY ASAC BELMONT IF ANY RECORDS WERE LEFT IN CONNECTION WITH COPLON TELEPHONE TAP. WITNESS STATED THAT HE HAD BEEN RESPONSIBLE FOR RESULTS FROM THAT TAP ONLY UP UNTIL MAY SECOND, FORTY NINE AND ACCORDINGLY WAS ABLE TO ADVISE ONLY REGARDS RECORDS FROM THAT TAP DURING THAT TIME FOR WHICH HE HAD THE RESPONSIBILITY AND HE ADVISED MR. BELMONT THAT ALL RECORDS UP UNTIL MAY SECOND, FORTY NINE HAD BEEN DESTROYED. JUDGE GAVE DEFENSE COUNSEL ACCESS TO INSERT FROM NY REPORT ON COPLON DATED MARCH TWENTY EIGHTH, FORTY NINE WHICH CONTAINED SUMMARY OF TELEPHONE INTERCEPTS FROM COPLON RESIDENCE IN NYC. DEFENSE COUNSEL POMERANTZ

JMO:M:CTC
65-14932

cc - 65-14939 (Gubitchev)
Approved: _____

Special Agent in Charge

Sent

7:28 PM

Per

REX

65-14932-780du

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

1/16/50

Transmit the following Teletype message to:

INQUIRED OF WITNESS IF CONFIDENTIAL INFORMANT T FOUR, TO WHOM TELEPHONE TAP INFO IS ATTRIBUTED IN THAT INSERT, WAS NOT IN FACT "FBI JARGON" FOR ALL TELEPHONE TAPS. WITNESS ANSWERED THAT IT WAS NOT. POMERANTZ ATTEMPTED TO QUESTION WITNESS FURTHER IN THIS REGARD BUT JUDGE RULED OUT SUCH LINE OF QUESTIONING. POMERANTZ STATED THAT HE WANTED THE ORIGINAL BUREAU REPORT FROM WHICH SUMMARY OF GUBITCHEV TELEPHONE CONVERSATIONS HAD BEEN PREPARED AND JUDGE DENIED HIM ACCESS THERETO. POMERANTZ THEN QUESTIONED WITNESS CONCERNING MANNER IN WHICH BUREAU AGENTS IDENTIFIED GUBITCHEV ON JANUARY FIFTEENTH, FORTY NINE AFTER HAVING BEEN SENT BY MILLER TO SOVIET DELEGATION TO UN AT SIX EIGHT ZERO PARK AVENUE. POMERANTZ STATED HE WANTED TO PRESS THIS POINT TO SHOW THAT BUREAU MUST HAVE KNOWN OF GUBITCHEV'S IDENTITY PRIOR TO JANUARY FIFTEENTH AND THAT HIS IDENTITY HAD BEEN LEARNED THROUGH A WIRE TAP. JUDGE RULED OUT QUESTIONING ON THIS POINT. NEXT WITNESS WAS SA ROBERT J. LAMPERE WHO WAS QUESTIONED BRIEFLY BY PALMER AS TO HIS KNOWLEDGE OF WIRE TAP ON COPLON RESIDENCES IN WASHINGTON AND NY. HE WAS FURTHER QUESTIONED AS TO WHEN HE HAD FIRST HEARD OF GUBITCHEV AND WITNESS ANSWERED SOMETIME AFTER JANUARY FOURTEENTH, FORTY NINE AND HE HAD FIRST HEARD OF COPLON LATE IN DECEMBER, FORTY EIGHT. JUDGE RULED OUT QUESTIONS BY PALMER WHICH WERE DIRECTED TOWARDS ATTEMPTING TO DETERMINE IDENTITY OF ORIGINAL INFORMANT IN THIS CASE. NEXT WITNESS WAS SA R. J. WIRTH WHO WAS QUESTIONED BY PALMER AS TO DESTRUCTION OF MONITORS' NOTES ON GUBITCHEV TAP IN NYC. WITNESS STATED THAT HE FIRST DESTROYED ANY NOTES IN THIS CASE IN MARCH FORTY NINE AND THAT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

---3---

1/16/50

Transmit the following Teletype message to:

THERE HAD BEEN NO GUBITCHEV CONVERSATION AFTER MARCH TWENTY EIGHTH, FORTY NINE. WITNESS STATED UNDER QUESTIONING THAT HE FIRST DISCUSSED THE FACT THAT GUBITCHEV RECORDS HAD BEEN DESTROYED WITH ASAC BELMONT AND SA MILLER APPROXIMATELY DECEMBER FIRST, FORTY NINE. QUESTIONING BY PALMER FINISHED AND COURT ADJOURNED UNTIL TEN THIRTY AM TOMORROW AS DEFENSE COUNSEL POMERANTZ STARTED HIS EXAMINATION OF WITNESS. JUDGE ASKED DEFENSE COUNSEL POMERANTZ IF HE THOUGHT THAT HEARING COULD BE CONCLUDED BY TOMORROW. POMERANTZ ADVISED COURT THAT AS FAR AS HE WAS CONCERNED IT COULD BE FINISHED BY THAT TIME. DEFENSE COUNSEL PALMER TOLD COURT THAT HE THOUGHT HE COULD FINISH HIS EXAMINATION OF WITNESSES AT LEAST BY WEDNESDAY NEXT.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

Irving H. Saypol, United States Attorney

January 16, 1950

John M. Kelley, Jr., Raymond P. Whearty,
Special Assistants to the Attorney General

JMK:RPW:dj

Interrogation on Voir Dire; Possibility
of mistrial through a revelation of
Coplon's former conviction.

146-1-317

Judge Ryan stated sometime ago that he will interrogate the jury on the voir dire and instructed counsel for both sides to seasonably furnish him with a list of its proposed questions.

Beyond such inquiry as is customary in a case of this nature, we propose to request the Court to inquire only as to possible membership or affiliation of prospective jurors in certain known Communist organizations.

However, the element of wiretapping having been injected into the case, we anticipate that in their opening and closing statements and throughout the trial defense counsel will harp on this subject ad nauseam in an effort to prejudice the Government's case and destroy the credibility of FBI witnesses.

Since the unethical aspects of wiretapping have received such widespread and critical comment in the press, it can be assumed that some prospective jurors may entertain strong elements of prejudice with respect to the Bureau's indulgence in this practice, while the Government is powerless, in view of the decisions, to point out the exigencies which have impelled the Attorneys General to invoke this measure of protection as respects the national security. In other words, the defense can lash out at the Government without restraint and the Government is powerless to defend or explain the tapping in this case since the practice is admittedly contrary to law.

This being the case, we feel that it is highly important that the panel be examined concerning their attitude of mind on this question to establish whether or not any juror might be prejudiced for or against the Government or the defendants, should the evidence disclose that the Bureau tapped the Coplon and Gubitchev wires.

Of course, such prejudice might exist and an inquiry would not necessarily disclose the same. In any event, a discussion of the matter on the voir dire would in a measure inform the jury in advance of the defense tactics which we anticipate and might conceivably lessen the effect of the attack when made.

N. Y. C.

ROUTED TO

FILE

65-14932-781

On the trial the Government will not seek and, of course, will not be permitted to introduce any evidence obtained by means of a wiretap or microphone. If we proceed to trial, it will be only because the Court will have found, at the conclusion of the preliminary hearing concerning wiretapping, that the Government by virtue of independent sources of information is entitled to present its evidence against the defendants. In that event, surely it must follow that the Government is entitled to a jury free from prejudicial views of any kind or character including any prejudice that might stem solely from the fact that the Government did tap wires in this case.

Since precedent is scarce, we have experienced some difficulty in phrasing a suitable series of questions along this line and would welcome any suggestion or assistance that you or the members of your staff might care to make in this connection.

* * * * *

Early in the preliminary proceedings, Judge Ryan cautioned counsel for the Government and counsel for the defendants that neither side should, directly or indirectly, make reference during the trial to the fact that Miss Coplon was convicted in the former trial in Washington. The Court's remarks clearly indicated that should his instructions in this particular be disregarded he would be inclined to declare a mistrial.

It was never our intention to advert before the jury to Miss Coplon's prior conviction since we feel that it would be error to do so in the light of her pending appeal. However, we do conceive in the situation as it now stands a potent opportunity on the part of the defendants to proceed with the trial for a period of some weeks and then by pre-arrangement between them to have counsel for one defendant (apparently without deliberate intention) make some reference to Miss Coplon's prior conviction, thus permitting counsel for the other defendant to demand a mistrial. Should this occur and a further trial be had, the same process could be worked over ad infinitum. We feel that should the Government breach the Court's instructions in this respect, a new trial ought to be granted. However, we do believe that the matter should be raised again in open court or in a joint conference in chambers to the end that defense counsel might be made to understand that should either of the defense counsel be the offender the Court might not be inclined to grant a mistrial but merely to instruct the jury to ignore

the remark. The Court presently being on record to the effect that he will grant a new trial if his instructions are breached, has placed defense counsel in a position where they can bring about a mistrial whenever they decided it would be to their best interest to do so.

Federal Bureau of Investigation
United States Department of Justice

New York, New York

January 17, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE -- R

At 5:20 pm on January 16, I called Mr. H. B. Fletcher of the Bureau and furnished him the following information:

Mr. Whearty was advised by Fred Stryne of the Department that the Supreme Court had gone over PALMER's motion to direct the Circuit Court to refer the case back on grounds of wire tapping but the Supreme Court had refused to take action. Mr. Fletcher stated he already had this information.

I further advised Mr. Fletcher that when HAROLD SHAPIRO took the stand this morning, he was asked whether he had any knowledge of GUBITCHEV prior to the arrest of COPLON and GUBITCHEV on March 4. He stated that he did not. I pointed out to Mr. Fletcher that it is our understanding that in her testimony at the Washington trial, COPLON stated she had discussed GUBITCHEV with SHAPIRO. I advised that the papers here picked it up and that MILTON LEWIS of the "Herald Tribune" had pointed it out to me and had spoken to Mr. Kelley and Mr. Whearty about it.

Mr. Fletcher was advised that Mr. Kelley has furnished us with a note which he is giving to USA Saypol on the interrogation of the jury at the time a jury is being picked. Two points he intends to take up which are of interest are:

1. He is asking that the jury be questioned relative to any prejudice they might have if wire tapping was involved in the case, in the belief that if a prospective juror is definitely prejudiced against the use of wire tapping it might be reflected in the findings of the jury.

2. Early in the proceedings, the court gave definite instructions to both government and defense counsel that neither side should directly or indirectly make reference to the previous conviction of COPLON. Mr. Kelley is pointing out that the defense attorneys might allow this trial to proceed for several weeks and then deliberately, although not making it appear deliberate, bring up the previous conviction, causing the judge to declare a mistrial. Mr. Kelley is requesting that this be cleared up and that the judge point out to both defense and government counsel in chambers that if the defense counsel mentions the previous conviction, the court will advise the jury to ignore the reference, and that if the government

cc - 65-14939 (Gubitchev.)
AHB:CTC
65-14932

65-14932-782

FBI - NEW YORK
JAN 17 1950

MR. SCHEIDT	
MR. BELMONT	
MR. WHELAN	
MR. COLETT	
MR. GIBSON	
MR. LADD	
MR. NICHOLS	
MR. ROSEN	
MR. TRACY	
MR. Egan	
MR. Gurnea	
MR. Harbo	
MR. Hendon	
MR. Pennington	
MR. Quinn	
MR. Nease	
MR. Tamm	
MR. Trotter	
MR. Tele. Room	
MR. Holloman	
Miss Gandy	
MAINT.	
CLERK	
PROPERTY CLERK	
TRAINING UNIT	

MEMO

NY 65-14932

January 17, 1950

counsel brings this up, the judge will declare a mistrial. I pointed out to Mr. Fletcher that Kelley has in mind the possibility that the defense could go on and hold trial after trial and bring up the previous conviction and thereby cause a mistrial.

A. H. BELMONT
ASAC

Federal Bureau of Investigation
United States Department of Justice
New York, New York

January 16, 1950

MR. SCHEIDT
MR. BELMONT
MR. VIELAN
MR. COLEMAN
MR. CLEGG
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WINTERROWD
MR. MOHR
MR. WATKINS
MR. GANDY

1-16
Miss Abrams
stated this
was mislabeled
I rewrote
mean

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

On January 14, Mr. Martin of the Bureau called to advise that Mr. Fletcher wanted us to locate Mr. Whearty's summation at the Washington trial to see if Mr. Whearty said there were no wire taps used. At my request, Supervisor Ring checked the transcript of the Washington trial which we had borrowed from Mr. Whearty, but we did not have the summation. Mr. Martin was so advised, and he stated that Agent Miller might have this information and therefore the Bureau would get in touch with him at Washington.

On January 14, Mr. Ladd called regarding an article appearing in the "Times Herald" at Washington to the effect that there were 3,500 wire taps in New York City in 1949. This statement was credited to Mrs. Saliba during her testimony on January 13. I advised Mr. Ladd that this article also appeared in the New York "Daily News", which is a Patterson paper, but that it was definitely false; that Mrs. Saliba had made no such statement. Mr. Ladd wanted to know if we could get Mrs. Saliba's testimony. I advised him this would not be available until January 16 as the court reporters had not transcribed it as yet. I also spoke to Mr. Nichols regarding this. He advised that he had called someone at the "Times Herald" and had pointed out the falsity of this report. He requested that I call Miss NORMA ABRAMS of the "Daily News". I did so on January 15, after failing to reach her on January 14. She said that as far as she knew no one from the "News" had covered the trial; that the article in question had been written up by a rewrite man from AP dispatches. I pointed out to her that it had not appeared in any of the other papers and that it was definitely misleading. She said she would discuss this with her paper as soon as she had an opportunity.

On the morning of January 16 I spoke to Mr. Fletcher concerning this. He advised it would not be necessary to send down Mrs. Saliba's testimony unless advised to the contrary.

Supervisor Ring had also called my attention to a very critical editorial appearing in the "New York Post" on January 14th. I mentioned this to Mr. Nichols and at his request it was sent down to the Bureau by teletype.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-783
FBI - NEW YORK
JAN 16 1950

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
JAN. 17, 1950

2443
MR. SCHEIDT FD-36
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAYAN
MR. SUPERVISOR

Transmit the following Teletype message to: BUREAU AND WASHINGTON FIELD - URGENT

JUDITH COPLON, ESPIONAGE - R. / FIRST WITNESS AT MORNING SESSION WAS SA ROBERT J. WIRTH, WHO WAS QUESTIONED BY DEFENSE COUNSEL POMERANTZ. WITNESS STATED GUBITCHEV CASE HAD BEEN ASSIGNED TO HIM UNTIL APPROXIMATELY JULY FIRST, FORTY NINE, THAT DURING THE TIME IT WAS /ASSIGNED TO HIM, HE REGULARLY READ SUMMARIES OF TRANSLATIONS OF CONVERSATIONS ON THE GUBITCHEV TAP AND DESTROYED THESE SUMMARIES FOLLOWING DICTATION. POMERANTZ THEN APPLIED TO THE COURT FOR THAT PORTION OF THE GUBITCHEV INVESTIGATIVE REPORTS WHICH SET OUT THE RESULTS OF WIRE TAPPING. THE JUDGE DENIED THAT APPLICATION. POMERANTZ ASKED WHETHER OR NOT IN THE INVESTIGATIVE REPORTS PREPARED BY THE WITNESS THE SYMBOL, QUOTE CONFIDENTIAL INFORMANT T, UNQUOTE HAD BEEN USED. THE WITNESS ANSWERED IT WAS. (POMERANTZ ASKED IF IT WAS USED TO DESIGNATE THE SOURCE OF WIRE TAP INVESTIGATION IN THAT INVESTIGATIVE REPORT AND THE WITNESS ANSWERED THAT IT WAS. POMERANTZ ASKED IF THE WITNESS KNEW WHAT NUMBER WAS ASSIGNED TO THE WIRE TAP IN THESE REPORTS. THE WITNESS STATED HE HAD NO RECOLLECTION. THEREUPON, POMERANTZ INITIATED A COLLOQUY IN REFERENCE TO THE ORIGINAL CONFIDENTIAL INFORMANT WHICH INITIATED THE COPLON INVESTIGATION, MAINTAINING / THAT THAT INFORMANT WAS ALSO A WIRE TAP. THE JUDGE RULED THAT IT WAS IMMATERIAL IF THE CASE WAS TOUCHED OFF BY WIRE TAP INFORMATION. POMERANTZ THEN ASKED TWO QUESTIONS WHICH WERE RULED OUT BY THE JUDGE. ONE, WERE THE MONITORS ON THE GUBITCHEV SEATED IN THE U. S. COURT HOUSE BUILDING. TWO, WAS THE PLUGGING IN ON THE GUBITCHEV TELEPHONE LINE DONE BY THE NY TELEPHONE COMPANY. THE NEXT WITNESS

JMO:MFB
65-14932
CC: 65-14939 Approved: E. S. [Signature]

Special Agent in Charge

Sent 5/10/8 M Per CA

65-14932-784

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
-2-

Transmit the following Teletype message to:

WAS SA LEO J. GAUTHIER, WHO TESTIFIED THAT HE HAD NO KNOWLEDGE OF THE WIRE TAPS IN THE COPLON CASE AT THE TIME HE INTERVIEWED SURVEILLANCE AGENTS IN NY OR AT THE TIME OF COPLON'S TRIAL IN WASHINGTON. THE JUDGE RULED OUT SEVERAL QUESTIONS DIRECTED BY PALMER TO THIS WITNESS. THE NEXT WITNESS WAS ASAC ALAN H. BELMONT, WHO WAS UNDER QUESTIONING BY DEFENSE COUNSEL PALMER. THE WITNESS WAS SHOWN BUREAU MEMORANDUM OF NOVEMBER SEVEN, FORTY NINE FROM INSPECTOR FLETCHER TO ASSISTANT DIRECTOR LADD WHICH RECOMMENDED THE DISCONTINUANCE OF THE COPLON TAP IN NY AND FURTHER RECOMMENDED THE DESTRUCTION OF ADMINISTRATIVE MATTER CONNECTED THEREWITH IN THE INTEREST OF SECURITY. THE WITNESS STATED HE HAD NEVER BEFORE SEEN THAT MEMORANDUM, BUT HAD DISCUSSED ITS CONTENTS WITH INSPECTOR FLETCHER IN LATE OCTOBER, FORTY NINE, AT WHICH TIME THE WITNESS HAD RECOMMENDED THAT THE TAP BE DISCONTINUED AND ADMINISTRATIVE DATA CONNECTED THEREWITH DESTROYED. THE WITNESS WAS PERMITTED BY THE JUDGE TO MAKE A STATEMENT EXPLAINING THIS SITUATION. THE STATEMENT IS, AS FOLLOWS. THE TELEPHONE TAP ON THE COPLON RESIDENCE IN NYC HAD BEEN REINSTITUTED JULY TWELVE, FORTY NINE FOR THE PURPOSE OF ENABLING THE FBI TO KNOW THE WHEREABOUTS OF A CONVICTED ESPIONAGE AGENT, JUDITH COPLON. FURTHER, THAT THE EARLIER TAP IN NY ON THE COPLON RESIDENCE HAD DISCLOSED CONSIDERABLE CONVERSATION BETWEEN DEFENDANT AND HER ATTORNEY. FURTHER, AS A RESULT OF THE LATTER FACT, IT WAS APPARENT TO THE WITNESS THAT THE NEW TAP WOULD DISCLOSE SIMILAR INFORMATION. THE WITNESS STATED THAT, AT THE TIME THE TAP WAS REINSTITUTED ON JULY TWELFTH, HE FELT THAT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
-3-

Transmit the following Teletype message to:

AND
AGENTS WHO HAD TESTIFIED IN THE WASHINGTON TRIAL/ WOULD BE TESTIFYING IN THE
LATER NY TRIAL SHOULD NOT BE CONCERNED WITH OR MADE AWARE OF THE NATURE OF
TELEPHONE CALLS BETWEEN THE DEFENDANT AND HER ATTORNEY, MR. PALMER AND, FOR
THAT REASON, THE WITNESS DIRECTLY HANDLED THAT WIRE TAP AND ASSIGNED AN
AGENT NOT PREVIOUSLY CONNECTED WITH THE CASE TO LISTEN TO CONVERSATIONS FROM
THAT TAP TO PREPARE PERIODIC /SUMMARIES TO BE FORWARDED TO THE BUREAU. THE
WITNESS CONTINUED THAT, AS THE DATE OF THE COPLON TRIAL IN NY APPROACHED
AND AS COPLON'S APPEARANCE THEREIN SEEMED ASSURED, THE REASON FOR A TAP NO
LONGER EXISTED, ACCORDINGLY, HE RECOMMENDED ITS DISCONTINUANCE AND ALSO
THE DESTRUCTION OF DISKS AND NOTES THERE FROM WITH THE EXCEPTION OF THE
COPIES OF LETTERS SUMMARIZING CONVERSATIONS OVER THAT TAP PREPARED BY
SA AVIGNONE. WITNESS STATED HE RECOMMENDED THE DESTRUCTION OF THE DISKS
AND NOTES FOR REASONS OF "SECURITY", IN ORDER THAT THE TESTIFYING AGENTS
WOULD NOT, PERCHANCE, BECOME AWARE OF THE NATURE OF THE ATTORNEY CLIENT
CONVERSATIONS BETWEEN PALMER AND COPLON. AS A RESULT OF THIS RECOMMENDATION
AND LATER BUREAU CONCURRENCE THEREIN, THE WITNESS ARRANGED FOR THE DISCONTINUANCE
OF THAT TAP ON NOVEMBER TEN, FORTY NINE, AND FOR THE DESTRUCTION OF THE DISKS
AND NOTES OF THAT TAP. THE WITNESS WAS QUESTIONED AT LENGTH CONCERNING THE
GENERAL RULE WHEREBY PHONOGRAPHIC DISKS ARE DESTROYED IN THE NYO WITHIN A
PERIOD OF SIXTY DAYS PROVIDED THEIR RETENTION IS NOT REQUESTED. THE WITNESS
STATED THAT ANY SPECIAL AGENT IN THIS OFFICE HAS AUTHORITY TO REMOVE PHONO-
GRAPHIC DISKS AND CAUSE THEIR DESTRUCTION WITHOUT CLEARANCE FROM A SUPERIOR

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

-4-

Transmit the following Teletype message to:
OFFICIAL OF THIS OFFICE. THE WITNESS STATED THAT AT THE TIME OF GIVING
SPECIAL INSTRUCTIONS TO SA AVIGNONE ON NOVEMBER TEN, FORTY NINE, THE
LATTER DID NOT IN ANY WAY REMONSTRATE WITH HIM CONCERNING THE DESTRUCTION
OF RECORDS OR NOTES. AT THIS POINT, THE JUDGE STATED THAT HE WAS VERY
WELL SATISFIED FROM THE TESTIMONY OF THIS AND EARLIER WITNESSES THAT THE
DESTRUCTION OF RECORDS ON NOVEMBER TEN, FORTY NINE, WAS NOT FOR A CON-
TUMACIOUS PURPOSE. THE WITNESS WAS THEN QUESTIONED BY PALMER AS TO
THE LETTERS TO THE BUREAU SUMMARIZING INFORMATION RECEIVED FROM CONFIDENTIAL
INFORMANT AND AS TO NY TELETYPE TO THE BUREAU AND WASHINGTON FIELD
ON FEBRUARY TWENTY EIGHT, FORTY NINE, WHICH REFERRED TO INFORMATION RECEIVED
FROM A COPLON WIRE TAP THAT THE DEFENDANT WAS COMING TO NY ON MARCH FOUR,
FORTY NINE. THE WITNESS WAS QUESTIONED AS TO WHETHER SIMILAR INFORMATION
FROM A SIMILAR SOURCE HAD BEEN RECEIVED BY THE NYO PRIOR TO FEBRUARY
EIGHTEEN, FORTY NINE. THE WITNESS ANSWERED IT WAS HIS RECOLLECTION THAT
THE SURVEILLANCE OF COPLON ON FEBRUARY EIGHTEEN WAS THE RESULT OF INFORMATION
TELEPHONED BY MR. FLETCHER OF THE BUREAU TO THE EFFECT THAT COPLON'S SUPERIOR
HAD ADVISED SHE WAS TO TAKE THE ONE PM TRAIN ON THAT DATE. THIS WITNESS
WAS STILL ON THE STAND AT THE TIME COURT RECESSED AT TWELVE FIFTY PM. COURT
WILL BE RESUMED AT TWO FIFTEEN PM.

b7E

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK
JANUARY 27, 1950

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. LADD
MR. KENNEDY
MR. LEVY
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
TODAY: DEFENSE
MR. WALSH
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING OFF

Transmit the following Teletype message to: BUREAU & WASHINGTON FIELD OFFICE

JUDITH COPLON, ESPIONAGE R. AT THE OUTSET OF THE AFTERNOON SESSION COUNSEL POMERANTZ ATTEMPTED TO PUT IN EVIDENCE A MEMORANDUM PREPARED BY HIM WHICH HE STATED WAS BASED ON VOLUMES THIRTY AND THIRTY ONE OF THE WASHINGTON COPLON. POMERANTZ CLAIMED THAT THIS MEMORANDUM SHOWED CLEARLY EVIDENCE THAT THE FBI WAS TAPPING THE TELEPHONES OF [REDACTED]

b7E

[REDACTED] FURTHER THAT THE CONFIDENTIAL INFORMANT DESIGNATION OF QUOTE T UNQUOTE WAS THE DESIGNATION OF A WIRE TAP. THE JUDGE STATED THAT HE WOULD NOT RECEIVE THE MEMORANDUM IN EVIDENCE BUT WOULD AGREE TO LOOK IT OVER. THEREAFTER QUESTIONING OF THE WITNESS BELMONT CONTINUED. HE WAS QUESTIONED BY DEFENSE COUNSEL PALMER AS TO WHETHER OR NOT THE RECORDS AND DISKS OF WIRE TAPS IN THE NEW YORK OFFICE WERE NOT IN FACT GOVERNMENT RECORDS WHICH UNDER THE LAW CONSTITUTES A FELONY TO DESTROY. THEREUPON IN ANSWER TO QUESTION BY THE JUDGE THE WITNESS STATED THAT NO CRIME WAS BEING COMMITTED BY THE DESTRUCTION OF SUCH MATERIAL AND THAT THE MATERIAL DESTROYED WAS THE TYPE OF MATERIAL COMMONLY DESTROYED. THEREAFTER THE WITNESS TESTIFIED THAT HE IN OTHER CASES COMING UNDER HIS SUPERVISION HAD BEEN CONSULTED BY AGENTS OF THE NEW YORK OFFICE CONCERNING THE DESTRUCTION OF RECORDS. THE WITNESS TESTIFIED THAT ON NOVEMBER TENTH, NINETEEN FORTY NINE HE INSTRUCTED SPECIAL AGENT ARTHUR AVIGNONE TO DESTROY PHONOGRAPHIC DISKS AND MEMORANDA AND IN

CC - NY 65-14939

JMO:M:MH (#6)
65-14932

Approved: [Signature]
Special Agent in Charge

Sent 110X M

Per REO

65-14932-785

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

PAGE 2

ANSWER TO HIS INQUIRY AVIGNONE TOLD HIM ON NOVEMBER FOURTEENTH THAT THEY HAD BEEN DESTROYED. THEREAFTER QUESTIONING OF THE WITNESS WAS CONDUCTED BY DEFENSE COUNSEL POMERANTZ WHO ASKED IF THE WITNESS HAD ORDERED THE DESTRUCTION OF RECORDS SO THAT COUNSEL FOR THE DEFENSE COULD NOT HAVE ACCESS TO THEM. THE WITNESS STATED THAT SUCH WAS NOT A FACT. THE WITNESS STATED THAT BUREAU AUTHORITY WAS NECESSARY FOR THE DISCONTINUANCE OF A TELEPHONE TAP AND FOR THAT REASON HE HAD CONTACTED MR. FLETCHER IN LATE OCTOBER NINETEEN FORTY NINE AND HAD AT THE SAME TIME MENTIONED TO MR. FLETCHER THAT HE, THE WITNESS, INTENDED TO DESTROY ADMINISTRATIVE DATA IN CONNECTION WITH THE COPLON TAP. THEREAFTER POMERANTZ INQUIRED IF SUCH INSTRUCTIONS HAD BEEN GIVEN TO DESTROY THE MONITOR'S SLIPS FROM THE GUBITCHEV TAP. THE WITNESS SAID THAT SUCH INSTRUCTIONS HAD NOT BEEN GIVEN. THE NEXT WITNESS WAS INSPECTOR H. B. FLETCHER WHO WAS QUESTIONED BY PALMER AS TO WHETHER OR NOT HE KNEW IF ANY EFFORTS HAD BEEN MADE IN THE BUREAU LAB TO BRING OUT THE UNINTELLIGIBLE CONVERSATIONS RECORDED FROM THE MICROPHONE IN COPLON'S OFFICE. THE WITNESS ANSWERED THAT HE KNEW OF NO SPECIAL EFFORTS IN THAT REGARD. THE WITNESS WAS THEN QUESTIONED CONCERNING HIS DISCUSSIONS IN LATE OCTOBER NINETEEN FORTY NINE WITH MR. BELMONT CONCERNING THE DISCONTINUANCE OF THE COPLON TAP AND THE DESTRUCTION OF RECORDS THEREFROM. THE WITNESS WAS THEN QUESTIONED CONCERNING THE CHANGE OF DATE ON THE BUREAU MEMORANDUM FROM FLETCHER TO LADD OF NOVEMBER SEVENTH

13

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

PAGE 3

NINETEEN FORTY NINE. THE WITNESS STATED THAT HE DID NOT KNOW WHO HAD MADE SUCH A CHANGE OF DATE OR WHY SUCH HAD BEEN MADE BUT THAT HE KNEW THAT SUCH CHANGES WERE NOT UNUSUAL TO BRING A MEMORANDUM UP TO ACTION DATE. POMERANTZ THEN TOOK OVER QUESTIONING OF THE WITNESS. HE READ TO THE WITNESS A NUMBER OF ANSWERS GIVEN BY THE WITNESS ON THE STAND ON DECEMBER THIRTEENTH NINETEEN FORTY NINE TO QUESTIONS DEALING WITH THE DESTRUCTION OF RECORDS AND PHONOGRAPHIC DISKS. POMERANTZ READ SEVERAL PORTIONS OF THE WITNESS' EARLIER TESTIMONY AND CLAIMED CLEAR INCONSISTENCIES WITH TESTIMONY GIVEN THIS DATE BY THE WITNESS. THE JUDGE ON REVIEWING A TRANSCRIPT OF EARLIER TESTIMONY STATED THAT HE FELT THAT THE ANSWERS PREVIOUSLY GIVEN HAD BEEN MADE IN ANSWER TO QUESTIONS ON A DIFFERENT POINT THAN THE PRESENT ONE WHICH DEALS WITH THE DESTRUCTION OF RECORDS IN NOVEMBER NINETEEN FORTY NINE. QUESTIONING OF THE WITNESS FLETCHER WAS COMPLETED. THEREUPON POMERANTZ MADE A STATEMENT TO THE COURT ALLEGING THAT FROM THE TESTIMONY SINCE THE INCEPTION OF THE HEARING ON THE WIRE TAP ISSUE THAT THERE HAD BEEN MADE OUT FOUR CLEAR VIOLATIONS OF THE LAW BY AGENTS OF THE FBI. HE CITED THEM AS FOLLOWS: ONE, VIOLATION OF FCC REGULATIONS BY WIRE TAPPING, TWO, CONTEMPT OF COURT WHICH CONSISTED OF CONTUMACIOUS DESTRUCTION OF RECORDS TO PREVENT ACCESS IN THE EVENT OF COURT ACTION. THREE, FELONIOUS DESTRUCTION OF GOVERNMENT RECORDS WITHOUT AUTHORIZATION FROM CONGRESS. FOUR, SIGNIFICANT CONTRADICTIONS IN TESTIMONY. POMERANTZ FURTHER REQUESTED THAT A GRAND JURY

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

PAGE 4

BE SELECTED TO HEAR HIS CHARGES. THEREAFTER DEFENSE COUNSEL PALMER LAUNCHED INTO A TIRADE, CLAIMING A FRAME UP AGAINST HIS CLIENT. SA THOMAS J. MC ANDREWS WAS CALLED BY THE GOVERNMENT IN CONNECTION WITH THE MOTION OF POMERANTZ TO SUPPRESS STATEMENTS MADE AT THE TIME OF GUBITCHEV'S ARREST. THE WITNESS TESTIFIED THAT AT THE START OF THE INTERVIEW OF GUBITCHEV ON THE EVENING OF MARCH FOURTH GUBITCHEV HAD BEEN ADVISED OF HIS CONSTITUTIONAL RIGHTS. THEREAFTER GUBITCHEV HAD DENIED KNOWING COPLON OR THAT HE WAS WITH ANY WOMAN ON THAT EVENING AND THEREAFTER REFUSED TO ANSWER QUESTIONS UNLESS A REPRESENTATIVE OF HIS COUNTRY WAS PRESENT. AS THE ARREST LOG OF GUBITCHEV DID NOT REFLECT SUCH STATEMENTS BY HIM, JUDGE RYAN REQUESTED THAT INVESTIGATIVE REPORT REFLECTING THE INTERVIEW WITH GUBITCHEV BE AGAIN MADE AVAILABLE FOR HIS INSPECTION THE MORNING OF JANUARY EIGHTEENTH. THIS REPORT OF SA T. S. MILLER, MARCH EIGHTEENTH NINETEEN FORTY NINE RE COPLON AND GUBITCHEV WAS PREVIOUSLY GIVEN TO THE COURT FOR INSPECTION AND WAS ONE OF THE REPORTS RETURNED BY THE COURT. IT WILL BE GIVEN TO THE COURT ON THE MORNING OF JANUARY EIGHTEENTH. COURT RECESSED AT FIVE PM WITH SA MC ANDREWS STILL IN EXAMINATION. COURT TO BE RESUMED AT TEN THIRTY AM TOMORROW.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

Federal Bureau of Investigation
United States Department of Justice
New York, New York

January 17, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R.

I called Mr. John McGuire of the Bureau at 12:25 pm today and advised him that the morning issue of the "New York World Telegram and The Sun" contains an editorial concerning FBI wire tapping. I read him the editorial which is attached. He said that the Bureau would obtain a copy of this paper in Washington.

R. R. GRANVILLE
Supervisor

Att.

RRG:CTC
65-14932

*Leo Laughlin also advised of
this 12:45 p.m. and his other
called to article and Donald -
Compton 1-17-49*

*See sub file "B"
for memo re
clipping*

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. HARBO
MR. MOHR
MR. WINTERROWD
MR. CLEGG
MR. GLAVIN
MR. GURNEA
MR. HOLLOMAN
MR. JONES
MR. QUINN
MR. TOLSON
MR. WATKINS
MR. WOOD
MR. ZIEGLER
PROPERTY CLERK
TRAINING UNIT

65-14932-786

FBI - NEW YORK
JAN 17 1950

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, New York

DATE: 1/16/50

FROM : SAC, Pittsburgh

SUBJECT: ROBERT SOLBY
SECURITY MATTER - C

On 1/6/50, JOHN F. LEAHY, a former Special Agent of the FBI, telephonically contacted this office and advised that the "Pittsburgh Press" of that date carried a picture of JUDITH COPLON, her attorney, and ROBERT SOLBY. LEAHY informed that SOLBY was apprehended by him in Boston a few years ago for impersonation when he, LEAHY, was an agent for the FBI. LEAHY stated that SOLBY was placed in a psychopathic ward for about ten days and then released, at which time he was brought before the U. S. Attorney in Boston. SOLBY was released on provision that he remain on good behavior.

LEAHY also stated that SOLBY's father was a prominent Jewish rabbi in Boston.

The above-mentioned picture is being forwarded to the New York Office. The above information is furnished for information purposes.

Encl. *W*

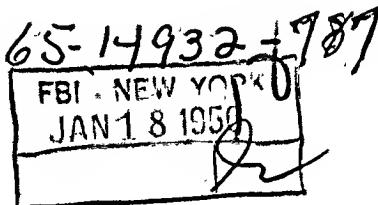
cc: Boston

LHN:ELK
65-0-1294

*See Sub-file B for
miscellaneous clippings*

Searched _____
Serialized _____
Indexed _____
Filed _____

*File - Coplon
File
r.*



Federal Bureau of Investigation
United States Department of Justice

New York, N. Y.
January 17, 1950.

MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. CRAWFORD
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO:

RE: JUDITH COPLON, et al
Espionage R.

Mr. Leo Laughlin of the Bureau called at 1:20 PM today and inquired as to developments this morning in the Coplon trial. SA John O'Mara, who attended the trial, advised him as follows:

That the first witness was SA Wirth, continued from yesterday, who was questioned by Pomerantz; nothing of any importance arose.

Next witness was Gauthier, who testified that he never knew anything about wire-tapping at the time he was interviewing Agents to prepare maps or during the trial in Washington.

ASAC Belmont was the next witness. He was questioned specifically regarding the [redacted] informant, as well as the content of Bureau memo from Mr. Fletcher to Mr. Ladd on November 7, 1949, which recommended discontinuance of the tap and destruction of administrative data. Thereupon the Judge let ASAC Belmont make a statement which went as follows:

Mr. Belmont stated that the purpose of the re-installation of the tap on the Coplon residence in New York was to be advised of the whereabouts of a convicted espionage agent; that as a result of the previous tap on the Coplon residence, he was aware that much of the discussion on that phone would be attorney and client matters. Accordingly, when the tap was re-instituted in July, he felt that he should handle it directly himself and he should not permit Agents who had testified in Washington or who might testify in New York to be advised of the content of the information received from that tap, his purpose being that he did not want those Agents to know of the inside of the attorney and client relationship between Coplon and Mr. Palmer. For that reason he chose SA Avignone to prepare summaries of the conversations from that tap since Avignone had no previous connection with the Coplon case. As the end of October approached and as the date of the Coplon trial in New York approached, the reason for the tap's existence was not as great inasmuch as it was apparent that Coplon would be within the court's jurisdiction at the time of trial. For that reason, in late October Mr. Belmont recommended to Mr. Fletcher that the tap be discontinued. He further recommended that administrative data in connection with that tap be destroyed. He further testified that he was recommending that administrative data be destroyed because summaries of information had already been made available to the Bureau and in the interest of security he did not think that disks or notes reflecting the conversations on that tap should be retained. He

ES:MT

FBI - NEW YORK
JAN 17 1950
T S Miller | Tom 65-14732-788

explained the term "security" by stating that he did not think that that information should be by any chance allowed to fall into the hands of prospective witnesses in the Coplon trial.

Mr. Laughlin was advised that following Mr. Belmont's statement the Judge stated that he was very well satisfied from the testimony of this and earlier witnesses that the destruction of records on November 10th was not contumacious. Mr. Pomerantz objected to the Judge making a decision on this point without the witness being finished, his point being that he had not as yet had a chance to cross-examine ASAC Belmont.

The remainder of the examination of ASAC Belmont covered such points as the routine of destruction of records in New York in the average case, his instructions to SA Avignone, whether he (ASAC Belmont) had personal knowledge that all of the records had been destroyed, and then there was exhibited to him New York teletype of February 28, 1949, in which this office indicated it had received information over the tap that Coplon would be in New York on March 4th. Palmer asked ASAC Belmont if this office had received similar information over a tap prior to Coplon's trip of February 18th. Mr. Belmont answered that he had no recollection of such information having been received over wire-tap but did know that on February 18th Mr. Fletcher of the Bureau had telephonically advised him that Coplon's superior had told the Bureau that she was to take the one o'clock train and accordingly New York arranged a surveillance on her.

At the recess at 12:50 PM ASAC Belmont was still on the stand and Court was to reconvene at 2:15 PM. Mr. Laughlin was advised that when Mr. Belmont finishes, Mr. Fletcher will probably be on, and it appeared that the Judge is trying to get it over fast.

EDWARD SCHEIDT
SAC

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
JAN. 18, 1950

MR. SCHEIDT
MR. BELMONT D-36
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. KELLY
MR. WALSH
MR. WOOL
MR. MC ANDREWS
PROPERTY CLERK

Transmit the following Teletype message to: BUREAU AND WASHINGTON FIELD - URGENT
JUDITH COPLON, ESPIONAGE - R. AT OUTSET OF MORNING SESSION SA THOMAS
WAS STILL UNDER EXAMINATION OF DEFENSE COUNSEL POMERANTZ AON THE LATTER'S MOTION
TO SUPPRESS STATEMENTS MADE BY GUBITCHEV AT THE TIME OF HIS ARREST. POMERANTZ
CONTINUED QUESTIONING OF THE WITNESS CONCERNING THE INTERVIEW WITH GUBITCHEV
ON MARCH FOUR, FORTY NINE. THE JUDGE INSPECTED NY REPORT IN THIS CASE OF
MARCH EIGHT, FORTY NINE, WHICH INCLUDED THE INTERVIEW OF GUBITCHEV AT THE TIME
OF HIS ARREST. THE JUDGE DENIED ACCESS THERETO TO DEFENSE COUNSEL, BUT DID
GIVE TO MR. POMERANTZ A PHOTOSTAT OF PAGES EIGHTY EIGHT AND NINE OF THAT REPORT.
THEREAFTER POMERANTZ ATTEMPTED ^{unsuccessfully} TO GET THE WITNESS TO ADMIT THAT GUBITCHEV HAD
BEEN QUESTIONED CONCERNING POLITICAL AND MILITARY AFFAIRS OF THE SOVIET UNION
AND POMERANTZ MADE THE STATEMENT THAT THE SOLE REASON FOR GUBITCHEV'S ARREST
WAS TO AFFORD AN OPPORTUNITY TO PRY INTO THE POLITICAL AND MILITARY SECRETS
OF THE SOVIET UNION. AT THE END OF THIS WITNESS' EXAMINATION, DEFENSE COUNSEL
POMERANTZ AND THE GOVERNMENT BOTH STATED THEY DID NOT DESIRE TO PRESENT ANY
FURTHER TESTIMONY ON THIS ISSUE. THEREAFTER, THE JUDGE STARTED HEARING (S)
ORAL ARGUMENTS CONCERNING THE WIRE TAPPING ISSUE. THE JUDGE STATED HE DID
NOT THINK IT WAS NECESSARY TO HEAR ARGUMENTS INASMUCH AS HE HAD BEEN WORKING
ON HIS OPINION WHICH WAS ALMOST, BUT NOT FULLY COMPLETED. HOWEVER, PALMER
INSISTED ON ORAL ARGUMENTS. HE ARGUED FOR ONE HOUR UP UNTIL THE NOON RECESS,
DURING WHICH ARGUMENT HE TREATED ON SEVERAL PHASES OF THE CASE AND IT WAS
NECESSARY FOR THE JUDGE TO CAUTION HIM TO THE EFFECT THAT HE, PALMER, WAS

65-14932
CC: 65-14939

Approved: E. J. [Signature]
Special Agent in Charge

Sent 7:32 P M

Per [Signature]

65-14932-789

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

--2--

1/18/50

Transmit the following Teletype message to:
NOT STICKING TO THE ISSUE. PALMER CLAIMED THAT THE GOVERNMENT'S USE OF
WILLIAM B. FOLEY AS A SOURCE OF INFORMATION IN THIS CASE WAS A DEVICE
INSTITUTED AT START OF INVESTIGATION FOR SOLE PURPOSE OF CIRCUMVENTING
FACTS OF NARDONE CASE WHICH WOULD REQUIRE THAT INFORMATION INDEPENDENT OF
WIRE TAPPING BE OBTAINED AS TO COPLON'S INTENDED TRIPS TO NYC FROM WASHINGTON.
PALMER'S ARGUMENT CONSISTED MAINLY OF GOING OVER ALL OF THE FACTS CONTAINED
IN COPLON'S DEFENSE AT WASHINGTON TRIAL. IN ADDITION, PALMER CASTIGATED
METHODS AND TESTIMONY OF FBI PERSONNEL AS DID POMERANTZ WHO STARTED HIS
ARGUMENT AT TWO FORTY FIVE PM. POMERANTZ OPENED HIS ARGUMENT BY STATING
THAT GOVERNMENT'S CASE WAS REplete WITH CRIMINALITY AND RESTATED HIS CHARGES
OF YESTERDAY. HIS THEORY OF ARGUMENT WAS CENTERED ON APPARENT ATTEMPT TO (3)
COAD GOVERNMENT INTO GIVING FURTHER LEAD TO IDENTITY OF ORIGINAL INFORMANT.
HE MISQUOTED TESTIMONY AND STATED AS FACT THAT ORIGINAL INFORMANT WAS A WIRE
TAP AND CONSEQUENTLY ANY INVESTIGATION STEMMING FROM ORIGINAL SOURCE OF
WIRE TAPPING WAS TAINTED UNDER SUPREME COURT DECISIONS. HE CHALLENGED GOVERN-
MENT TO REFUTE HIS STATEMENT THAT ORIGINAL SOURCE WAS A WIRE TAP. HE RECORDED
IN DETAIL HIS OBJECTIONS TO FACT THAT JUDGE HAD NOT MADE AVAILABLE TO HIM FBI
REPORTS AND OTHER DATA FROM WHICH HE COULD QUESTION WITNESSES. AS A CONSE-
QUENCE OF THESE OBJECTIONS, JUDGE STATED THAT HE HAD MADE ALL PERTINENT
INFORMATION COMING FROM WIRE TAPS AVAILABLE TO DEFENSE AND THAT HE HAD
RESTRICTED OTHER DATA, HE STATED THAT THE ILLEGAL ACTS OF THE FBI SHOULD
NOT CAUSE HIM TO THROW COMMON SENSE TO THE WINDS AND TO IMPEDE THE OPERATIONS

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 3 -

1/18/50

Transmit the following Teletype message to:

OF THIS MOST IMPORTANT GOVERNMENTAL LAW ENFORCEMENT AGENCY OR TO PREVENT ITS CARRYING OUT ITS DUTIES AS IT HAS IN THE PAST. AT FOUR PM SAAG JOHN KELLEY ARGUED FOR GOVERNMENT. HE OPENED BY STATING THAT HE REALIZED JUDGE WAS NOT SITTING AS A COMMITTING MAGISTRATE NOR WAS THIS A FORUM ON THE ETHICS OF WIRE TAPPING. NEVERTHELESS, HE QUOTED THE OPINION OF JUDGE HOLTZOFF ON NECESSITY OF WIRE TAPPING IN NATIONAL SECURITY OR KIDNAPPING CASES AS SET FORTH IN CASE ENTITLED U.S.A. VS. WILLIAM LEWIS, ET. AL., DATED 4 IN JANUARY, NINETEEN FIFTY. / KELLEY THEN BRIEFLY POINTED OUT NECESSITY FOR WIRE TAPPING IN PROTECTION OF SAFETY OF THIS COUNTRY TO DEFEAT THE HOSTILE INTENTIONS OF THE FOES OF THIS COUNTRY IN PRESENT COLD WAR. KELLEY THEN ARGUED THAT WHILE GOVERNMENT HAD SECURED INFORMATION CONCERNING COPLON'S INTENTION TO GO TO NY ON SEVERAL OCCASIONS FROM WIRE TAP, THE INFORMATION HAD BEEN RECEIVED FROM INDEPENDENT SOURCES SUCH AS THE ALREADY INSTITUTED PHYSICAL SURVEILLANCE BY BUREAU, THE PRIOR LAUNCHING OF ESPIONAGE INVESTIGATION WHICH WOULD NORMALLY COVER COPLON'S ACTIVITIES, AND INDEPENDENT ADVICE GIVEN BY COPLON TO FOLEY AND RELAYED BY HIM TO BUREAU. KELLEY ALSO DENIED ASSERTION OF POMERANTZ THAT TESTIMONY HAD BEEN GIVEN THAT ORIGINAL SOURCE WAS WIRE TAP AND CITED TESTIMONY TO CONTRADICT SUCH ASSERTION. JUDGE RYAN ADVISED THAT HIS DECISION WOULD BE RENDERED ON JANUARY TWENTIETH OR LATER, THAT COUNSELS SHOULD SUBMIT QUESTIONS TO HIM TO BE USED IN PICKING JURY AND THAT IF HE RULED AGAINST DEFENSE, TRIAL WOULD COMMENCE TUESDAY, JANUARY TWENTY FOURTH.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

New York, New York
January 11, 1950.

Re: Robert Solby

On May 30, 1947, Officer King of the Hyde Park Station of the Boston Police Department, telephonically advised the Boston Field Office of the Federal Bureau of Investigation that one Saul B. Levine had been arrested by officers of the Boston police for larceny. He reported that Levine had altered officer's Army discharge papers on his person when arrested. Officer King stated that Levine used the title "Major" in his everyday associations, but that his conversations did not give any indication of Army Service. Officer King further advised that Levine used an alias of Major Robert Solby and that he had in his possession a certificate of discharge from the United States Army which he, Solby, admitted that he had altered. He also had in his possession pictures of himself as a Captain and a Major.

Major Solby had been arrested by Officer Matthew King for the theft of \$200.00 at his place of employment, the Tribune Publishing Company, 1214 Hyde Park Avenue, Hyde Park, Massachusetts.

Special Agent John F. Leahy interviewed Major Robert Solby. Agent Leahy reported that a review of the material obtained from Solby at the time of his arrest revealed that he had a certificate of discharge which stated that Robert Solby, Major, (Captain, U.S. Army 16 November 1946) retired by reason of medical discharge 16 November, 1946. He also had in his possession a picture of himself in an Army uniform with Major insignia. He had another photograph of himself in an Army uniform with a Captain's bars and wings, and several Service bars. He also had a third photograph of himself in an Army uniform wearing Major insignia, wings, and 9 Service bars. He had in his possession a military record and report of separation and certificate of service in the name of Robert Solby, Major, U. S. Army Air Corps. Also in the possession of Solby was a letter on Civilian Air Patrol of Massachusetts stationery, addressed to the Commanding General, National Headquarters, CAP, Bowling Field, Washington, D.C. He had another letter addressed to Mr. W. F. Piper of the Piper Aircraft Corporation, Lock Haven, Pennsylvania, which referred to a telephone conversation with Major Robert Solby.

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On interview, Agent Leahy reported that Solby admitted that his name was Sol Burton Levine, that he had been a Lieutenant in the Army Air Force, Ground Division, and that in an effort to please his family when he returned from the Service he told them he had been promoted to a Captain and wore Captain's bars. A few months later he promoted himself to a Major and wore a Major's insignia along with wings and Service bars, which he was not entitled to wear. He had received a carbon copy of a certificate of service and had erased the information thereon, retyped it with fictitious information and photostated it. He claims he did not show this certificate of discharge to anyone. He received, through the mail, a certificate of discharge stating that Sol Levine, First Lieutenant, had been discharged from the Army Air Corps. He altered this certificate to read as set out above.

Levine advised that as a result of this misrepresentation to his parents, word got around town that he was a Major and he made no attempt to deny it.

He met one Oscar Rutstein of Arnold and Company, an advertising Agent, Washington Street, Boston, Massachusetts. Mr. Rutstein was a friend of the family and hired Levine to do advertising solicitation work. Due to a disagreement with a member of the firm Levine resigned and secured employment with Mr. Harry P. Harwich of the Tribune Publishing Company, Hyde Park, Massachusetts. He interested Mr. Harwich in a plan for air shows and a Civilian Air Patrol yearbook. In the company of Mr. Harwich, he was introduced to Colonel Rose of the CAP. In connection with this yearbook and plan he visited General Doolittle of the Shell Oil Company and the Commanding General of the National Civilian Air Patrol, Bowling Field, Washington, D.C. He also was in contact with Mr. Piper of the Piper Aircraft and many companies in the New England area concerning advertising in the CAP yearbook and the promotion of his air shows schemes.

Levine claimed that at no time did he actually refer to himself as Major Robert Solby, but that his introduction by Rutstein to Harwich carried on over to his new job. He denied that he had at any time obtained any money on the basis of this misrepresentation and that he could not see that it made any difference to the people he talked to whether he was a Major or First Lieutenant.

Levine appeared before the West Roxbury District Court on Saturday, May 31, 1947, and was committed to the Boston Psychopathic Hospital for a ten day observation period. This detention was later extended to July 1, 1947.

Mr. Oscar Rutstein of Arnold and Company, 262 Washington Street, Boston, advised Agent Leahy that he was acquainted with Levine's father, Rabbi Meyer Levine. During November, 1946, Mr. Rutstein stated, he was walking down a street in downtown Boston when he met Levine quite nattily attired with a Homburg hat and clothes to match. Sol Levine told him he was on terminal leave from the Army and that he had been a Major in the Air Force. He also told him that his name had been changed to Robert Solby while he was in the Army. Mr. Rutstein decided to give him an opportunity and hired him to work for the Arnold Company. Due to the playboy activities of Levine and his lack of concentration, it became necessary to discharge him. However, feeling sorry for Levine, he contacted Mr. Harry P. Harwich of the Tribune Publishing Company, Hyde Park, Massachusetts and stated that Levine was in need of a job and was interested in the advertising field and might be of some use to Mr. Harwich.

Levine secured employment with Mr. Harwich, who had been interested in the Civilian Air Patrol.

Mr. Harry P. Harwich, Tribune Publishing Company, 1214 Hyde Park Avenue, Hyde Park, Massachusetts, advised Agent Leahy that as a result of the recommendation of Rutstein, he hired Levine. He introduced him to Lieutenant Colonel Rose of the Civilian Air Patrol as Major Robert Solby, a former flier in the United States Army Air Corps. Levine, on several occasions, discussed airplanes and airport management with Colonel Rose and other persons and seemed to have a good knowledge of the matter.

As a result of this meeting, it was planned to set up a corporation which would run air shows and activities under the name of the Civilian Air Patrol and pay the CAP a percentage of the returns. It was planned to issue a yearbook for the CAP. Levine, as Major Solby, did most of the promotional work on the project, but due to his high pressured methods, it was contemplated that the book would be a failure.

Mr. Harwich stated it would not have made any difference to him if Levine had been a buck private instead of a Major. His knowledge of the subject matter was the thing that counted. At no time did Levine, according to Harwich, fraud anyone or obtain any money under these false pretenses.

Mr. Harwich advised he had not lost any money as a result of the representations of Levine that he was a Major, although he thought he might take some financial loss on the yearbook.

Lieutenant Colonel Harry Ross of the Civilian Air Patrol, Boston, Massachusetts, confirmed the story of Harwich and advised that all checks had been made out in the name of the Civilian Air Patrol. The introduction by Harwich as Major Robert Solby and the knowledge of aviation that Levine had was sufficient for him and he had never seen any discharge papers or observed Levine in uniform. Levine had attended the National Convention of the Civilian Air Patrol in Washington and held his own very well in all aviation discussions.

Agent Leahy conferred with Captain George Grinnell of the MIO, Boston, Massachusetts, and determined that Levine was not at that time a member of the Armed Forces or the Army Reserve Corps.

Mr. Joseph Mullin, Chief of the Massachusetts section of the Veterans Administration, Boston, advised that Levine had enrolled in the Army Air Corps. On August 3, 1942, he was commissioned as Second Lieutenant in the Ground Forces. He sailed for Europe on November 12, 1942 and returned April 10, 1945. He had a good record and was honorably discharged on February 12, 1946 at Bowman Field, Kentucky. He did not receive a medical discharge. His medical history shows migraine headaches and a motorcycle accident. Levine was discharged as a First Lieutenant.

Officer Matthew King of the Boston Police Department advised that Levine had no prior criminal record.

Agent Leahy advised that Doctor Landau of the Boston Psychopathic Hospital advised that Levine was not insane but that if he did not cooperate and receive treatment, in another ten years he might be a mental case.

Assistant United States Attorney Charles Miller, Boston, was advised of the facts, and he stated that inasmuch as Levine would be prosecuted by the State for the theft of \$200.00, and in view of the fact that Levine was actually a First Lieutenant and had honorably served in the Army of the United States he did not contemplate prosecuting him.

On July 1, 1947, Levine accompanied Special Agent John F. Leahy to the office of Mr. Charles F. Miller, Assistant United States Attorney. Mr.

Miller interviewed Levine and impressed upon him the fact that the Statute of limitations was for a period of three years and that if he should violate the law he would consider prosecuting him.

The following is a description of Sol Burton Levine, with alias Major Robert Solby:

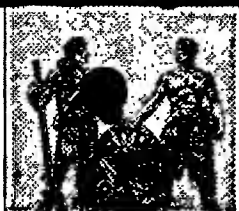
Date of Birth	January 16, 1921
Place of Birth	New York City
Height	6' 4"
Weight	185
Hair	Dark
Eyes	Gray
Mustache	Yes
Army Serial Number	0561504
	Honorable Discharge, U. S.
	Army Air Force
Parents	Meyer Levine
	Bessie Levine
Address	115 Washington Street, Brighton, Massachusetts

Special Officer Matthew King of Station 18, Boston Police Department, advised that Levine was arrested on May 29, 1947 for larceny of \$200 from a building. The circumstances surrounding the larceny disclosed that a fellow employee, Daniel Smalley, had \$200 in his wallet, which he had left in his coat hanging in an office shared by Levine and Smalley. Smalley left the office and returned to find the wallet and the money gone. The police were called which resulted in the arrest of Levine. He denied the theft but was charged with it in West Roxbury, Massachusetts District Court. Officer King stated that Levine was trying to borrow money that morning from Smalley and that after Smalley had left the office, Levine had made a telephone call to New York and made a date with an unknown girl and intended to fly down to keep this appointment. These circumstances indicated to the officer that Levine had stolen the money. King also stated that Levine had a brief case full of pictures and in the pictures Levine had on an Army uniform with the insignia of a Major. Levine was charged on May 31, 1947 of larceny from a building of over \$100, and he entered a plea of not guilty. The case was continued to June 10, 1947 and he was committed to the Boston Psychopathic Hospital. On July 8, 1947, he was found guilty and given one year's probation.

Mrs. Agnes Boyle, Temporary Assistant Clerk, Criminal Division, West Roxbury Court, advised that the records show that Levine was found guilty of larceny

of two hundred dollars from a building, and because the sum was over one hundred dollars it constitutes a felony. The records of the Boston Psychopathic Hospital disclosed that SOL B. LEVINE was admitted May 31, 1947, and discharged June 19, 1947, his condition unimproved. He was committed at the order of the West Roxbury District Court. These records disclosed that "LEVINE was a Lt. in the Army, and because of an idea of grandiosity he posed as a captain and then as a major. He was diagnosed as showing an aggressive hypomanic type of personality. The prognosis shows the patient was not aware of any mental problem and was not desirous of treatment, and, therefore the prognosis for getting into more trouble may be unfavorable. However, since no overt mental or conduct aberrations have been uncovered, he may continue for years without more difficulties. It is recommended that further study for more fundamental problems be made." In a letter to the West Roxbury District Court dated June 16, 1947, and signed WILLIAM L. HOLT, JR., Acting Medical Director, it was stated "Patient presents a picture of several personality facets, indicating an unstable emotional makeup. The patient possesses exceptional ambition but shows very poor judgment, and his account of the episode is given in such vagueness and evasiveness as to force us to conclude a lack of mental clarity, perhaps coupled with some deliberate avoiding of truth. He is unquestionably a man of exceptional intelligence but his emotional conflicts at the present time make it impossible for him to use his talents constructively. He is not now insane or comitable but in need of further psychiatric treatment to aid him in overcoming a serious neurotic makeup."

Credit -
MAN'S CONFIDENCE
IN MAN



Dun & Bradstreet, Inc.

MERCANTILE CREDIT REPORTS NECESSARILY DIFFER IN FORM AND IN LENGTH, DEPENDING UPON THE SIZE AND COMPLEXITY OF THE CONCERN REPORTED. . . . THE POLICY OF THE AGENCY IS TO PRESENT THE ESSENTIAL INFORMATION AS CONCISELY AS POSSIBLE.

UNCHANGED

CONNOLLY, J. J. INC.

OR 1 JULY 29 1949
WHOL. EXPTR & FCTY AGENTS
REFRIGERATION EQUIP &
APPLIANCES

NEW YORK CITY N Y
460 Tenth Avenue

John J. Connolly, Jr., Pres.
Henry K. Kieronski, Vice Pres.
David Fisch, Secretary

George L. Hickey, Jr., Vice Pres.
Edward J. Sylvester, Treas.

DIRECTORS: J. J. Connolly, Jr., Hyman Bader, Anthony N. Zock, and David Fisch

RATING: --

SYNOPSIS

BACKGROUND: Corporation formed May, 1948 to acquire and continue an established business previously operated by a different corporation; officers have had considerable experience in this line.

NET WORTH: Not determined.

PAYMENTS: Discount to prompt.

CONDITION & TREND: Balance sheet not submitted, however, since inception, operations are reported to have expanded.

HISTORY

Corporation formed under the laws of New York May 8, 1948 with an authorized capital of 200 shares of no par value common stock. The paid in capital is stated to be \$60,000.

Business was formerly the export division of S. J. O'Brien Sales Corp. located at 560 West 34th Street, New York City. The separation of the export division took place during May, 1948 at the inception of this corporation. It is stated that at present the subject is not connected with S. J. O'Brien Sales Corp.

John W. Connolly, Jr. born in 1917, in Boston, Mass. is married and a graduate of Boston University. Upon graduation entered the employ of W. R. Grace & Co. exporters and importers. He left W. R. Grace & Co. for duty in the Armed Forces serving as a Lieutenant Colonel. Upon separation from the Armed Forces, he entered the employ of S. J. O'Brien Sales Corp. as assistant to the President and later as manager of the Export Division.

Henry J. Kieronski, born 1919 in Uxbridge, Mass. Graduate of Boston University, College of Business Administration, also attended Columbia University Law School, and M.S.C.S. at Harvard University, School of Business. After graduation from Boston University, in 1940 employed by General Foods Corporation, Bird's Eye Frosted Foods Division in an administrative and sales capacity until December, 1941. In 1942 he joined R. L. Morey Co. a ship supply organization as Vice President. In May, 1943 he became President of Calumet Supply Co. of 120 Wall Street, New York City. Later he was commissioned by the United States Navy and upon his discharge rejoined Calumet Supply Corp. until 1946 when he joined S. J. O'Brien Sales Corp. as export marketing manager. Served as such until May, 1948 when J. J. Connolly Inc. was established and he was named Vice President of the new corporation.

George L. Hickey Jr. born in Brooklyn, New York, December 22, 1904 is married and is a graduate of the Massachusetts Institute of Technology. He is a mechanical engineer. From 1931 to 1936 Mr. Hickey was a commercial field engineer for Servel Inc. and from 1936 to 1941 served as Assistant Export Manager for Servel, Inc. From 1941 to 1948 he was New York manager for the Copeland Refrigeration Corp.

Edward J. Sylvester, born in Brooklyn, New York, in 1916 and is married. He was formerly the publicity and advertising fields becoming assistant publicity director of the Waldorf-Astoria Hotel, New York City. He left there to serve in the Armed Services. Upon separation from the Army he became associated with the S. J. O'Brien Sales Corp. in July, 1946 as administrative assistant to Albert C. Bonahur, Executive Vice President, later transferring to the export division as assistant to the J. J. Connolly, Jr. export manager.

ROUTED TO AS FILE

65-14932-791

PLEASE ADVISE FURTHER NAME, BUSINESS AND STREET ADDRESS OF CONTINUED WITH YOUR INQUIRY
OF YOUR request, under your name, in STRICT CONFIDENCE, by DUN & BRADSTREET, Inc. as your agents and
and for no other purpose.

CONNOLLY, J. J. INC

OR 1 JULY 29 1949

NEW YORK CITY, N.Y.
(PAGE # 2)

HISTORY (Cont'd.)

Harold P. Rutherford, sales manager, Electronic Division, born in Poughkeepsie, New York, in 1906 and married. Graduated from Syracuse University in 1928. He has served 15 years as a sales engineer, including five years with Kings County Lighting Co., of Brooklyn, N.Y., and five years with Brooklyn Union Gas Co. He has also served as New York District Manager of Smaller War Plants Corporation and as Vice President of Microwath Corp., N.Y. City. He joined the O'Brien organization in 1947 as Assistant Sales Manager of the Pierce Wire Recorder Division, which activity was part of the function of the Export Division.

Directors of the firm include J.J. Connolly, Jr., President, Hyman Bader, Asst. Treas., of the S.J. O'Brien Sales Corp and Anthony N. Zock, member of the law firm of Dow-Symmers, 70 Pine Street, N.Y. City.

David Fisch is reported to be a Certified Public Accountant.

OPERATION-LOCATION

Wholesalers, exporters and factory representatives of refrigeration equipment, wire records, television sets, air conditioning units fans and parts. Formerly chief activity was export, but at present 60% or better of the volume is represented by domestic sales. Many export items are sold under brand name "Connolly". As wholesalers and manufacturers representatives the subject holds distribution rights for the metropolitan area and adjoining states except for the Automatic Roller Grill, manufactured by World Wide Laboratories, Long Island City, N.Y. For this item the subject has world wide distribution rights. Other manufacturing concerns whose products the subject handles are: Pierce Wire Corporation, Chicago, Ill.; Jack Heintz Precision Industries, Inc., Cleveland, Ohio, Wilcox-Gay Corp., Charlotte, Mich., and Le John Mfg. Co., Wheeling, West Virginia.

Export sales consist of general merchandise specializing in refrigeration and air conditioning units. All exports are against irrevocable letters of credit but 10% is on sight draft basis or deposit in advance. Sight draft shipments are generally made on the basis of cash deposit in New York with the balance paid on sight draft. Domestic sales are net 30 days or cash against invoice. Large purchases are financed through banks. Accounts on books include chain stores, bars and grills, commercial and industrial concerns and the number of accounts vary from time to time.

Employs a staff of 30 salesmen and a sizeable clerical and secretarial staff.

Occupies entire two-story brick building which has an area of about 2,700 square feet. In addition merchandise is stored in the following warehouses: Liberty Warehouse, 43 West 64th Street, Atlas Storage Warehouse, 447 West 36th St., Lincoln Warehouse, 1195 Third Avenue and Commonwealth Warehouse 433 West 34th St., N.Y. City.

FINANCIAL INFORMATION

On July 13, 1949, the Treasurer, Edward J. Sylvester declined a balance sheet. However, it was stated that when the corporation became active on May 6, 1948, there was a paid in capital of \$60,000. Since inception there has been a steady growth in the sales volume but due in part to extension of the sales organization and to additional items. Exact sales figures are not submitted. According to the treasurer, collections of receivables are prompt as 80% or more are collected within selling terms. Liabilities, according to Sylvester at this time, includes relatively moderate notes due to the bank. The loan according to Sylvester, was obtained to finance a large purchase of orders. According to Sylvester, merchandise maintained in the warehouses, fluctuate from time to time and at the present time, he estimated it to be between \$50,000 to \$75,000. Sylvester further stated that the corporation, maintained a liquid financial position and stated that the aggregate of cash and receivables, exceed liabilities by a ratio of about 4 to 1.

At a local bank, an account has been carried for about a year and one half. Balances are in satisfactory moderate proportions.

(CONTINUED)

CONNOLLY, J.J. INC.

OR 1 JULY 29 1949

NEW YORK CITY
Page # 3

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Sold 6 mos to date

Sold 11-48 to date

Federal Bureau of Investigation
United States Department of Justice
New York, New York

January 19, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

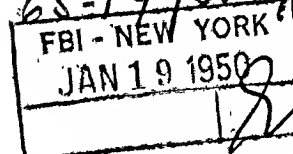
Attached hereto is a Dun and Bradstreet report relative to the J. J. CONNOLLY COMPANY, which company employs ROBERT SOLBY.

Also attached are three copies of a blind memorandum dated January 11, 1950 which was furnished to SAAG Kelley on January 13, 1950 at his request. This memorandum pertains to ROBERT SOLBY.

R. R. GRANVILLE
Supervisor

Att. - 4

RRG:CTC
65-14932



New York, New York
January 19, 1950

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. STANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO

RE: JUDITH COPLON
ESPIONAGE - R.

On the afternoon of January 18, I advised Mr. H. B. Fletcher of the Bureau that before I took the stand as a witness in the preliminary hearing in this matter, I consulted with Mr. Kelley and Mr. Whearty, at which time I advised them that I was very much concerned about the statements which had been made against the Bureau and its personnel, and that I was of the opinion that someone should take steps to refute these statements. I told them that when I got on the stand, I contemplated giving the lie to the defense counsel. Mr. Kelley and Mr. Whearty advised me against doing this on the basis that it would not be helpful to the case. On my pressing the issue, they advised that if the defense counsel should make such statements directly to me and not in argument to the court or not in any statements directed to the court, I might say something, but they stated they were of the opinion that it should be approached cautiously. At the same time, I expressed the opinion that these statements should not be permitted without some sort of refutation. I pointed out that at the time the government presented its argument at the close of the hearing, an opportunity would be presented to stand up for the FBI.

Mr. Kelley advised me that he did not think it would be a desirable step to take in that it was recognized by the court that these statements were being put in purposely by the defense counsel to cloud the issue and in an attempt to discredit the witnesses. He further stated that he did not think it was necessary or part of the case to try and convince the court that the FBI needed protection; that he felt the court could make up its own mind and it was not a matter to be made a speech. I then discussed the angle that this was a public hearing but did not go into it too strongly.

Mr. Fletcher was advised that when I was on the stand, there was no opportunity presented for me to make a speech along these lines, ^{and} while the defense counsel did make disparaging remarks, they directed their comments to the court in their arguments to try to overcome objections. Therefore, there appeared to be no opportunity to do what I had contemplated without hurting the case.

On the morning of January 18, prior to the opening of court, I called USA Saypol at his home and went into the fact that the FBI had been subjected to these attacks at a public hearing; that the newspapers had been there and that there had been adverse comments and misunderstandings in the press and that as a public agency we relied on public opinion. Following Mr. Fletcher's suggestion, I pointed out to Mr. Saypol that the original

FBI - NEW YORK
FEB 10 1950

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summary of information from wire taps that we had put in had been proved by supporting documents which were accurate and that in no instance had we attempted to evade the issue when the court asked for documents, even though we felt that the documents called for were above what was necessary in the interest of security. I pointed out that we had put on witness after witness of Bureau personnel who had testified honestly and uprightly, to the best of their ability, and that many of us, including myself, were upset by the fact that the Bureau was being criticized unjustly and falsely and that we were being left in a position where no answer was being made other than the statements of the judge from the bench. As an example, I mentioned the statement of the judge on January 17 wherein he stated he was satisfied that the FBI had not destroyed the records contumaciously in an attempt to keep them from the court. I pointed out that the only protection we have been getting was from the court.

Mr. Fletcher was advised that I told Mr. Saypol that I thought he should know how we felt about this and I wondered whether anything could be said or done that would alleviate this situation. At about 2:55 pm I was called out of court by Mr. Saypol who had been at the counsel table in court a few minutes previously. At that time he told me that the matter I had discussed with him had been gone over and I got the very definite impression that he had discussed this with Mr. Kelley. He advised me that the opinion was partly written and that we would not be displeased with it. He further stated that he had in his possession a copy of Judge Holtzoff's opinion which had just been rendered in the District of Columbia on the subject on wire tapping and he stated this part of the decision would be used by Mr. Kelley in his argument. I then read to Mr. Fletcher the pertinent portion of Judge Holtzoff's decision.

I advised Mr. Fletcher that there is no doubt in my mind that Mr. Saypol discussed this with certain quarters and following that, told Mr. Kelley that he was to use the above-mentioned portion of Judge Holtzoff's opinion plus the short statement he made concerning the present cold war and the tactics of our foes in the cold war and the need for wire tapping in national security cases, etc. As a matter of fact, I advised Mr. Fletcher that Mr. Kelley read that part of his statement whereas he got up and gave the rest of it as an argument.

A. H. BELMONT
ASAC

New York 7, New York

January 19, 1950

Director, FBI

Att: Inspector H. B. Fletcher

RE: JUDITH COPLON
ESPIONAGE - R

Dear Sir:

Enclosed herewith is a photostatic copy of the oral arguments of ARCHIBALD PALMER, ABRAHAM POMERANTZ and SAAG JOHN KELLEY in connection with the wire tap motions on January 18, 1950.

This is for your information.

Very truly yours,

JS
EDWARD SCHEIDT
SAC *JS Km*

enc.

SPECIAL DELIVERY
REGISTERED MAIL

cc - NY 65-14939 (Gubitchev)

TSM:CTC
65-14932

65-14932-9939

F. B. I.	
JAN 19 1950	
N. Y. C.	
ROUTED TO	FILE <i>JS</i>

SAC, Boston

January 19, 1950

SAC, New York

JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R
Boston file 65-3268

Reurlet January 10th instant.

There is being returned, via registered mail, your file 2-0 which was forwarded to this office for utilization in connection with this case. It is noted that we are retaining your file on SOL BURTON LEVINE, wa: Robert Solby, Boston file 47-1767. This file will be returned when it has served its purpose.

enc.



REGISTERED MAIL

RRG:CTC
65-14932

65-14932-794 Sm

New York 7, New York

January 19, 1950

Director, FBI

Att: Inspector H. B. Fletcher

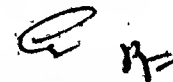
RE: JUDITH COPLON
ESPIONAGE - R

Dear Sir:

In accordance with the telephonic conversation between Inspector H. B. Fletcher of the Bureau and ASAC A. H. Belmont of this office on January 19th, there is forwarded herewith a copy of the schedule prepared by Mrs. Sophie Saliba of this office at the express request of Judge Sylvester J. Ryan during the period of her testimony on January 13, 1950 at the preliminary hearing in this case.

The recordings total 11,256, of which 2,060 apply to the months of November and December, 1948, leaving a balance of 9,196 applying to the year 1949. As the Bureau is aware, this schedule was prepared from Mrs. Saliba's book which reflects the date on which certain recordings were sent down by her for destruction. The figures listed were totalled by her from the records bracketed under the given dates. This cannot be stated to be completely accurate picture of all recordings destroyed by the New York office and is not so represented as there may be some slight variance because of recordings which did not clear through Mrs. Saliba's book.


Very truly yours,


EDWARD SCHEIDT
SAC

enc.

cc - NY 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-795 

January 13, 1950

Memo to Judge Sylvester Ryan:

Recordings sent down for destruction during months of November and December, 1948, and for the entire year of 1949

<u>Date sent down</u>	<u>Total number of record discs</u>
11/19/48	7 2/3 1204
12/13/48	856
2/16/49	1965 2060
3/22/49	662
5/4/49	799
6/9/49	643
7/6/49	659
8/22/49	1574
9/23/49	1013
10/17/49	641
11/16/49	625
12/20/49	613
	<hr/> 11,256
	2060
	<hr/> 9,196

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

January 19, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. L. VVYS
MR. RICHES SAULT
MR. TIAN
MR. N. PERSVOR
MR. Y
MR. W. H.
MR. FOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

On the morning of January 19, Mr. H. B. Fletcher of the Bureau called to request that we furnish him with the total number of recordings reflected on the schedule prepared by Mrs. Saliba for Judge Ryan, reflecting the recordings sent down for destruction. I advised Mr. Fletcher that this schedule, which was prepared by Mrs. Saliba upon the express instructions of Judge Ryan, was dated January 13, 1950 as a memo to Judge Sylvester Ryan, "Recordings Sent Down for destruction during months of November and December, 1948 and for the entire year of 1949". The total number of recordings reflected on the schedule is 11,256. Of these, 2,060 pertain to the months of November and December, 1948, leaving a balance for the year 1949 of 9,196. I advised Mr. Fletcher we would send a copy of this schedule to the Bureau for his attention today.

I advised Mr. Fletcher that in order to be sure that we have copies of all the exhibits before Judge Ryan, I am making arrangements through United States Attorney Saypol for clearance of Judge Ryan for us to go over the exhibits and list them, and if we do not have copies of some of them, to make photostatic copies. Mr. Fletcher advised that this should be done and that probably we have copies of all of the exhibits except the Bureau memos showing the installation and discontinuance of the taps.

I then called Mr. Saypol and advised him of our desires in this respect. He stated that Judge Ryan is presently using the exhibits but that he will make the appropriate arrangements as soon as he is finished. He suggested Monday, January 23, for this purpose. I advised him that this would be very satisfactory. He advised that some of the exhibits had been opened and would be returned to the persons submitting them, but that others had remained sealed and these, of course, would have to remain as court exhibits. I advised him that we merely wanted a listing of the exhibits in order that we could be sure that we had copies and wanted to arrange to photostat any that we did not have; that we did not want to disturb the exhibits in any way, although, of course, we would accept any that were returned to us. Mr. Saypol further advised that he is standing by to get the opinion of Judge Ryan as soon as it has been rendered and that he will take immediate steps to let us know the opinion and furnish us a copy of it.

Mr. Fletcher was advised that we would inform the Bureau immediately upon the receipt of the information and would put it on the teletype.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)
AHB:CTC
65-14932

FBI - NEW YORK
JAN 19 1950

T. S. Miller

Federal Bureau of Investigation
United States Department of Justice
New York - New York

January 17, 1950.

MEMORANDUM

RE: WIRETAPPING

refo no of
I advised Mr. J. J. McGuire of the Bureau this morning of the letter which had appeared on the editorial page of the New York Times of January 17th, written by JAMES LARENCE FLY and captioned FBI's WIRETAP ACTIVITIES. I said that this is a very vicious thing, in strongly worded language, accusing the Bureau of violating laws with penalties up to three years, and goes into the matter of the memo addressed to Mr. Ladd in the COPLON case.

Mr. McGuire indicated he would obtain a copy of the New York Times immediately.

EDWARD SCHEIDT
SAC

ES:gu

*McGuire
1-30-50*

65-14932-796

1950

T S Miller TSM

*CC and
W. T. Miller
1-16-50*

January 14, 1950

Honorable Sylvester J. Ryan
United States District Judge
Judge Chambers
United States Courthouse
60 City Hall Square
New York, N.Y.

Re: United States of America v. Judith
Coplon and Valentin A. Gubitchev.

Honorable Sir:

During the Washington trial of United States
v. Coplon certain investigative reports of the F.B.I. were
admitted into evidence over the objection of the govern-
ment. Some of these reports related to the investigations
of individuals associated or connected with the United
Nations or with foreign embassies and consulates in this
country. In this latter connection, and in accordance with
Your Honor's permission, I am submitting a list of con-
fidential informants found in these reports who appear to
have been engaged in wire tapping, and also examples of
mail censorship.

In connection with these F.B.I. Investigative Re-
ports I desire to call Your Honor's attention to Paragraph
14 of the petition signed by defendant Judith Coplon on
November 28, 1949, which was submitted in support of the
motion for a pre-trial hearing on the question of wire tapping,
which hearing is presently being conducted before Your Honor.
Said Paragraph 14 reads as follows:

"14. During the trial of the case in Washington,
D.C., petitioner's attorney, Archibald Palmer, had
requested the Government to produce the F.B.I. In-
vestigative Reports in connection with the papers seized
from petitioner. The Government strongly objected to
the production of said record to the effect that if
District Judge Reeves would direct the Government to
produce such investigative reports the Government would
be compelled to nolle prosequere said prosecution. Not-
withstanding such threat, however, District Judge Reeves,
in an historic decision, ordered the Government to pro-
duce these investigative reports and the Government, Y. C.
in spite of the foregoing statement made by its attorneys

65-14932-798

Hon. Sylvester J. Ryan

- 2 -

Jan. 14, 1950

with the prosecution of the case. Said investigative reports show that in many investigations the F.B.I. not only used illegal wire tapping but also mail cover, trash cover, and also intercepting mail delivered to or from a suspect."

May I also call Your Honor's attention to the fact that in the pre-trial hearing presently being conducted before you, on December 27, 1949, I had asked the following question of Mr. Scott Miller, Jr., F.B.I. Agent:

"Q Now I ask you the question, in Washington, in the investigators' reports marked in evidence, which you read to the jury after the Court opened them and put them in evidence, didn't the Saron Report, Volume 30, pages 5321, 5324, Volume 31 Ursula Wasserman report, page 5661; Wasserman U.N. employee; George Dimitrov Gotirov, a Bulgarian citizen in the Department of Social Affairs at the United Nations; Volume 31, Dr. Boshidar Alexksander, Yugo citizen, adviser to Trusteeship Council, show in those reports that there was a tapping and an interception of telephones in connection with persons employed in the U.N.?"

No answer to this question was given since the Government's objection was sustained by Your Honor.

It appears from the list herewith submitted to your Honor that, as the writer contended during the Washington trial, in the petition submitted in support of motion for a pre-trial hearing in connection with wire tapping, and at the pre-trial hearing itself, these F.B.I. Investigative Reports are of vital importance, not only with respect to the nature of the information contained in these reports as affecting national defense, but also with the issues involved in this pre-trial hearing.

Respectfully,

Archibald Palmer

AP/mn

cc Raymond P. Whearty, Esq.
Special Assistant to the Attorney General
United States Courthouse
Paley Square
New York City, N.Y.

Report re: Georgi Dimitrov Gotirov, was, made by Special Agent Francis W. Zangle, New York, 11/22/48. (Vol. XXXII, p. 5842 ff.) Gotirov is attached to the Immigration Section in the Department of Social Affairs at the United Nations.

Gotirov's former landlady (from July 11, 1947 to April 9, 1948) furnished, at the request of the F.B.I., a list of telephone numbers which subject called. (pp. 5847-8).

The following excerpt, showing a confidential informant at the United Nations, appears in this report, p. 5846:

"At Great Neck, Long Island

Confidential Informant T3 was contacted but could furnish no information on the activities of the subject.

On August 12, 1948, Confidential Informant T3 ascertained that subject's file was charged out to MR. BYRON PRICE Assistant Secretary General of the United Nations."

Report re: Irina (Iraida) Alexkander, was; Boshidar Koenimir Alexkander, was, made by S.A. John R. Murphy, New York, N.Y., 7/5/46. (Vol. XXII, p. 5900 ff.) Boshidar Alexkander has been employed since July, 1946, as legal advisor to the Trusteeship Council of the United Nations.

Mail cover of subjects began by the F.B.I. on June 20, 1946. (p. 5908 ff).

Report re: Alexkanders, by Murphy, New York, 5/13/47. (Vol. XXXII, p. 5925 ff.)

Confidential Informant T1 appears to be a

b7E

Toll calls made on subjects' phone listed, (pp. 5928-)

Mail cover of subjects listed. (p. 5929ff)

Hotel phone calls made by subjects listed (p. 5955-6)

Telegram sent by subjects listed. (p. 5956)

Report re: Aleksanders, by Murphy, New York, 10/7/47.
(Vol. XXXI, p. 5960 ff.)

Confidential Informant T3 appears to be

[REDACTED]

Mail cover of subjects listed.)p. 5963 ff.)

Report re: Leona Saron, made by S.A. Robert K. McQueen,
Washington, D.C., 11/26/48. (Vol. XXX, p. 5310 ff.) Saron
was employed by the Soviet Embassy, Washington, D.C. from
about February 1, 1948 to about August 1, 1948.

b7E

Confidential Informant T3 appears to be

[REDACTED]

Confidential Informant T4 appears to be

[REDACTED]

Report re: Novaya Zarya, aka Russian Daily Morning News,
made by S.A. Wesley G. Grapp, San Francisco, 12/15/48.
(Vol XXX, p. 5402 ff.)

[REDACTED]

Report re: Clara Juravsoff, was., made by S.A. Edwin O.
Raudsepp at San Francisco, 11/11/48. (Vol. XXXI)

b7E

[REDACTED]

Report re: Eli Potash was., made by S.A. Robert I. Monkeley,
Los Angeles, 12/16/48. (Vol XXX and XXXI, p. 5441 ff.)

Confidential Informant

[REDACTED]

New York - New York

January 18, 1950.

~~CONFIDENTIAL~~ (U)

Director, FBI

ATTN: MR. H. B. FLETCHER

RE: JUDITH COPLON
VALENTIN GUBITCHEV
ESPIONAGE - R

Dear Sir:

There are transmitted herewith memorandum of Abraham L. Pomerantz dated January 16, 1950 and memorandum from Archibald Palmer to Judge Ryan dated January 14, 1950, which are self-explanatory.

Very truly yours,



EDWARD SCHEIDT
SAC

RRG:gu
Encls-

*Assumed Bureau will handle
any analysis desired as they report
reflected to furnished by the
Bureau to the Department.
RRB*

65-14932-799



United States Department of Justice
Federal Bureau of Investigation



IN REPLY, PLEASE REFER TO
FILE NO. _____

January 19, 1950

MEMO

RE: JUDITH COPLON
VALENTINE GUBITCHEV
ESPIONAGE - R

In a letter to the Honorable Sylvester J. Ryan, United States District Judge, ARCHIBALD PALMER, attorney for JUDITH COPLON, enclosed a list of items taken from FBI investigative reports. These reports had been introduced as evidence and read at the trial of JUDITH COPLON in Washington, D. C.

PALMER claimed in his letter that the reports "are of vital importance not only with respect to the nature of the information contained in these reports as affecting national defense, but also with the issues involved in this pre-trial hearing." He did not enlarge on the latter statement.

The list submitted was headed. [REDACTED]

b7E

Re: GEORGI DIMITRI SOTIROV
Report of Francis W. Zangle, New York
November 22, 1948:

PALMER stated SOTIROV'S former landlady furnished, at the request of the FBI, a list of telephone numbers which subject called.

The landlady in question furnished telephone numbers SOTIROV called, but these telephone numbers had been written by SOTIROV at the request of the landlady. This was the usual procedure required of all her roomers in order for the landlady to keep her records and this was not done at the request of the FBI.

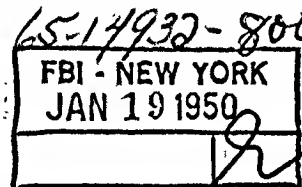
PALMER stated another section of the report showed a confidential informant at the United Nations.

The informant here was [REDACTED]

b7D

In the following, the reports were reviewed and where the informants were identified on the informant page, they are set out:

FWZ:IM
65-14932



Memo
NY 65-14932

Re: IRINA (IRAIDA) ALEXKSANDER, Was
Report of SA John R. Murphy, New York
September 5, 1946

PALMER stated a mail cover of subjects began by the FBI on 6/20/46.

Report of SA John R. Murphy, 5/13/47

T-1 was NYT-117

Toll calls on subject's telephone listed.

(The report shows that these were obtained from [redacted])

b7D

Mail Cover

Hotel telephone calls. (These were obtained from records of the Garden City Hotel)

Telegrams (also obtained at Garden City Hotel)

Report of SA John R. Murphy, 10/7/47, New York

T-3 was NYT-117

Re: LEONA SARON, Was
Report of SA Robert K. McQueen, Washington, D. C.
November 26, 1948

T-3 was [redacted]

T-4 was [redacted]

Re: ELIS. POTASH, Was
Report of SA Robert I. Ronksley, Los Angeles
December 16, 1948

b7E

[redacted] is set out but no information is given on the informant page.

The following references are made to reports not available in this office:

Re: NOVAYA ZARYA, aka Russian Daily Morning News
Report of SA Wesley G. Grapp, San Francisco
December 15, 1948

Memo
NY 65-14932

[redacted]
[redacted] states PALMER.

Re: CLARA JURAYCOFF ✓
Report of SA Edwin O. Randsep, San Francisco
November 11, 1948

b7E

[redacted]
[redacted] states PALMER.

FRANK W. ZANGLE, SA

Federal Bureau of Investigation
United States Department of Justice

New York, New York

January 20, 1950

MEMO

Re: JUDITH COPLON
ESPIONAGE - R

At approximately 1:35 P. M., 1/20/50, Miss JUDITH COPLON telephoned and stated in connection with the filing of her income tax return, it is necessary for her to have her Social Security Number. She stated her Social Security Card was taken from her by the FBI and is presently being retained by the FBI. According to receipt given to her, the SS No. is 088-12-6917. Miss COPLON requested Mr. MILLER (SA T. Scott Miller) to verify this number for her and said she could be reached at the office of her attorney, Mr. PALMER.

I told Miss COPLON Mr. MILLER was not available and that I would convey her message to him.

MARY F. BARRY
Steno

MFB
65-14932

*1/24/50 -
Min gong home
Jen H. Mr. Wherry
advised - Mr. Wherry
to take up directly
with Mr. Palmer
T. S. Miller*

65-14932-801

FBI - NEW YORK
JAN 20 1950
T. S. Miller

New York, New York

January 20, 1950

MEMO

RE: VALENTINE A. GUBITCHEV
ESPIONAGE - R

On the afternoon of January 19, Mr. H. B. Fletcher of the Bureau called and stated that, with reference to the memorandum furnished to him which POMERANTZ submitted to the court reflecting the various informants which he contends are wire taps, there are pages quoted which apparently are pages from the original transcript of the Washington trial. Mr. Fletcher requested that we go through the original transcript based on our copy of POMERANTZ' memorandum and pick out the reports to which POMERANTZ is referring, and furnish that information to the Bureau so that they can check the reports and prepare an analysis for the Director.

I advised him we would do this and try to get the information to the Bureau by January 20. This information was immediately furnished to Supervisor Granville.

A. H. BELMONT
ASAC

cc - 65-14932 (Coplon) ✓

AHB:CTC
65-14939

65-14932-802

FBI - NEW YORK
JAN 20 1950
<i>[Signature]</i>

New York 7, New York

January 20, 1950

~~CONFIDENTIAL~~ (U)

Director, FBI

Att: Assistant to the Director
D. M. Ladd

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

Dear Sir:

For the Bureau's information, on January 20, 1950, a conference was held by ASAC A. H. Belmont, with the assistance of Supervisor Granville, of all available Special Agents now in New York City who are to be witnesses at the forthcoming trial of COPLON and GUBITCHEV. The purpose of this conference was to discuss the proper method of testifying as Bureau agents and to point out certain tactics employed by defense counsel and to profit by our experience gained through the testimony given thus far, both in the trial of JUDITH COPLON in Washington, D. C. and during the pre-trial hearing here in New York City.

It was pointed out to the agents that the Bureau expects them to testify clearly and accurately and without bias to the facts within their knowledge. The Bureau expects them to handle themselves intelligently and alertly on the stand and to testify calmly and with the composure to be expected of a representative of the Federal Bureau of Investigation. The following points were particularly stressed:

1. Agents must testify to what they know of their own personal knowledge and must not make assumptions or testify to hearsay.
2. Agents were warned not to answer questions by defense counsel before government attorneys had the opportunity to object, if an objection was desirable.
3. Agents were advised that their replies to questions should be accurate and to the point, without the use of words open to misinterpretation; that they should refrain from using terms such as "unusual" or other terms which did not convey their precise meaning.
4. Agents were advised that in view of the demonstrated tactics of both PALMER and POMERANTZ in asking involved, lengthy questions which in reality are several questions, and in basing questions on inaccurate premises, they should not hesitate to correct such false premises prior to answering

cc - NY 65-14939

AHB:CTC

65-14932

65-14932-803

Letter to Director
Att: Mr. D. M. Ladd
NY 65-14932

~~CONFIDENTIAL~~ (U)

and should not hesitate to ask for a restatement of the question if it is not clear. In other words, the agents were made acquainted with numerous instances of the unethical questions which both defense counsel have employed and were instructed that they should have a definite understanding of what the question is prior to giving their answer.

5. Agents were acquainted with the general tactics which defense counsel follow to place them on the defense and were instructed in the proper method of replying to such tactics. They were instructed to conduct themselves on the stand in a positive, decisive manner. They were advised that they were to take the stand as representatives of the FBI and they must avoid any semblance to allowing themselves to be pushed around by defense counsel.

An individual and specific analysis was made of each instance so far in this case where agents have made answers open to misinterpretation, both during the recently concluded hearing and during the trial in Washington, D. C. In each instance, the analysis reflected why the employee's answer was incorrect, the results which flowed therefrom, a more appropriate answer which could have been given, and how the agent should have handled himself under the circumstances which existed.

The purpose of this conference was to take advantage of the knowledge we have gained of the tactics employed by defense counsel, to show the agents how they could combat these tactics and to use as object lessons those instances wherein the testimony in the above could have been improved. In addition, the agents were advised of the manner in which the Bureau expects them to handle themselves as Bureau representatives while they are witnesses during the forthcoming trial.

Very truly yours,



EDWARD SCHEIDT
SAC

SAC, Washington Field

January 23, 1950

SAC, New York

JUDITH COPLON
ESPIONAGE - R

Enclosed are photostat copies of the testimony of SAs Thomas A. Mendenhall, Kenneth T. Delavigne and H. Dudley Payne given during the recent pre-trial hearings in this case.

These copies are for their information in the event they are called as witnesses in the coming trial.

Enc-3

TSM:IM
65-14932

Gr J

65-14932-804

SAC, Omaha

January 23, 1950

SAC, New York

JUDITH COPLON
ESPIONAGE - R

Enclosed is a copy of the testimony given by SA Brewer Wilson at the recent pre-trial hearing in this case, as well as a copy of an affidavit filed by him.

Agent Wilson will probably wish to review his testimony and he should be thoroughly familiar with the facts set out in his affidavit.

Enc-2

TSM:IM
65-14932

R J

mm

65-14932-805

Director, FBI

January 23, 1950

SAC, NEW YORK

JUDITH COPLON
ESPIONAGE - R


Enclosed are photostat copies of the testimony of SAs Robert J. Lamphere and Leo J. Gauthier, given during the recent pre-trial hearing in this case.

Also enclosed are copies of affidavits executed by SAs John J. Ward, Robert J. Lamphere and Frederick E. Webb.

The above should be given to these agents so that they may become thoroughly familiar with contents thereof prior to the time they are to be witnesses in the forthcoming trial.

Enc-5

TSM:IM
65-14932



65-14932-806

Federal Bureau of Investigation
United States Department of Justice
New York, New York

January 23, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

Shortly before 12 noon on January 20, 1950, I called Mr. H. B. Fletcher at the Bureau to advise him that United States Attorney Saypol had made available to me the opinions of Judge Ryan on the pre-trial motions presently pending in this case. I telephonically went over in considerable detail the opinions themselves with Mr. Fletcher and dictated certain pertinent portions thereof to his secretary. Thereafter in view of the length of the opinions, photostatic copies were sent to the Bureau via SA T. S. Miller who was enroute to Washington, D. C. Agent Miller took the 1:30 pm train for Washington and I advised Mr. Fletcher that the photostatic copies of the opinions would be given to him by Agent Miller before 6:00 pm on January 20th.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

*See
H. B. Fletcher
1/23/50*

65-14932-807

FBI - NEW YORK
JAN 23 1950

MR. SCHEIDT	
MR. BELMONT	
MR. WHELAN	
MR. COLLIER	
MR. GRANVILLE	
MR. FURNESS	
MR. GANDY	
MR. LADD	
MR. NICHOLS	
MR. ROSEN	
MR. TRACY	
MR. Egan	
MR. Gurnea	
MR. Harbo	
MR. Hendon	
MR. Pennington	
MR. Quinn	
MR. Nease	
Tele. Room	
Mr. Holloman	
Miss Gandy	

New York, New York

January 23, 1950

MEMO

RE: VALENTINE A. GUBITOV
ESPIONAGE - R

Reference is made to Mr. Belmont's memorandum dated January 20, 1950 concerning Mr. Fletcher's request that the New York Office pick out the reports referred to by Mr. POMERANTZ in his memorandum dated January 16, 1950 to Judge Ryan, wherein POMERANTZ contended that various informants were wire taps.

A review of volumes 30, 31 and 32 of the original transcript of the Washington trial reflected that Mr. POMERANTZ' page references pertain to the following reports:

- I. Report Re: LEONA SARON
By: SA Robert K. McQueen
Dated: 11/26/48 at Washington
Bufile: 100-100035.
- II. Report Re: NICHOLAS GEORGE NICHOLAS, was.
By: Edward Dornlas, Jr.
Dated: 10/12/48 at San Francisco
Bufile: 100-175912
- III. Report Re: URINA (IRAIDA) EFIMOVNA ALEKSANDER, was.
By: John R. Murphy
Dated: 5/29/46 at New York City.
Bufile: ?
- IV. Report Re: GEORGI DIMITROV SOTIROV, wa.
By: Francis W. Zangle
Dated: 11/22/48 at New York City
Bufile: 100-353993
- V. Report Re: URSULA WASSERMAN, was.
By: Francis D. O'Brien
Dated: 11/12/48 at New York City
Bufile: ?

The above information was furnished by telephone to Mr. Fletcher at the Bureau by Mr. Belmont on January 20, 1950. It was also pointed out

cc - 65-14932 (Coplon)
RWR:CTC
65-14939

FBI - NEW YORK
JAN 23 1950

65-14932-808

MEMO

NY 65-14939

January 23, 1950

by Mr. Belmont that POMERANIZ, in addition to the specific page references in his memorandum to Judge Ryan, repeatedly mentioned that volumes 30, 31 and 32 of the Washington trial were replete with [REDACTED]

b7E

[REDACTED] and that he was not limiting himself to the specific page references mentioned in his memorandum.

ROGER W. ROBINSON
SA



Federal Bureau of Investigation
United States Department of Justice

New York 7, N.Y.
January 23, 1950

5
9
8
MR. SCHEIDT
MR. BELMONT
MR. TULLAN
MR. COLLIER
MR. CONVILLE
MR. TUGES
MR. KENNEDY
MR. LEVITS
MR. MARCHESSAULT
MR. RAGAN
MR. SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. WOLL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

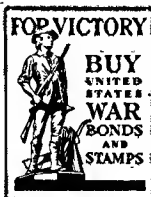
MEMO

RE: SIDNEY WALTON
News Commentator
Radio Station WOR

On January 22, 1950, the writer heard SIDNEY WALTON, a commentator on WOR in discussing the COPLON case, state that although PALMER and POMERANTZ, attorneys for COPLON, had attempted to have the Government's case disqualified on the ground that it was based on wire tapping, he could disclose that it was not based on wire tapping. WALTON said that when the U.S. Army went into Germany during the past war and took over certain records. When these records were decoded they revealed that COPLON was engaged in espionage activities. As the result of the decoding of these records the FBI put on wire taps.

CAR:IM
65-14932

CHESTER A. REILLY, SA



1/23/50
Mr. H.B. Fletcher
advised. He said not
to get transcript until
we were further advised
by Bureau
Q
Ed

65-14932-809
FBI - NEW YORK
JAN 23 1950
R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVITS
MR. MACQUESSAULT
MR. ...
NIGHT SUPERVISOR
MR. ...
MR. ...
MR. ...
MR. ...
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO

65-14932-810
FBI - NEW YORK
JAN 24 1958



**Federal Bureau of Investigation
United States Department of Justice**

January 24, 1950

MEMO

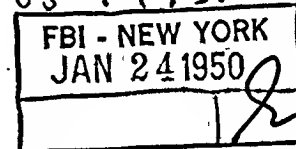
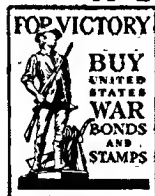
RE: JUDITH COPLON
ESPIONAGE -R

I called Mr. Obendorf of Washington Field at 5:20 P.M. January 23rd and advised him that we were sending down transcripts of the testimony of SAs Mendenhall, Delavigne and Payne but were not making transcripts of any other testimony unless specifically advised to the contrary.

Mr. Obendorf said that in addition to material he requested from Mr. Belmont with regard to exhibits in the case, Washington Field did not have copies of the SM or DR summaries. SA T.S. Miller was advised of this.

R. R. GRANVILLE, SA

RRG:IM
65-14932



Director, FBI

January 25, 1950

SAC, New York

JUDITH COPLON
ESPIONAGE - R

Following are the names and pertinent information concerning the twelve jurors and three alternate jurors chosen for the trial in instant case, which is scheduled to begin in the Southern District of New York on January 26, 1950.

JURORS

JOHN HOPFER — Foreman

Residence Address:

Occupation:

2215 Morgan Avenue, Bronx, New York.
Stock Clerk
ADDRESSOGRAPH MULTIGRAPH COMPANY
100 Sixth Avenue, New York City.
Republican.

1948 Voting Registration:

Mrs. MARGARET M. NYLAND — #2

Residence Address:

Occupation:

Husband's Name and Occupation:

Birth Date:

1948 Voting Registration:

1595 Unionport Road, Bronx, New York.
Housewife.
THOMAS NYLAND — Retired.
August 11, 1894.
No record.

DAVID W. HAYNES — #3

Residence Address:

Occupation:

9 East Tenth Street, New York City.
General Director
Travelers Aid Society of New York
144 East 44th Street, New York City.
May 22, 1907.
Republican.

Birth Date:

1948 Voting Registration:

Mrs. MARGARET L. RAWLINGS — #4

Residence Address:

Occupation:

Husband's Occupation:

Birth Date:

1948 Voting Registration:

410 West 24th Street, New York City.
Housewife.
Salesman.
November 4, 1893.
Democrat.

cc: 65-14939 (VALENTINE A. GUBITCHEV)

ERT:ENC
65-14932

65-14932-812

Letter to Director
NY 65-14932

GERALD M. DOBLIN — #5

Residence Address:

Occupation:

1948 Voting Registration:

2350 Broadway, New York, New York.
Assistant Manager
HALL, BRITT REALTY COMPANY.
Democrat.

Mrs. EVELYN D. MOORE — #6

Residence Address:

Occupation:

1948 Voting Registration:

2492 Devos Terrace, Bronx, New York.
Housewife.
No record.

Mrs. ANNA BALSAM — #7

Residence Address:

Occupation:

Husband's Name and Occupation:

Birth Date:

1948 Voting Registration:

3050 Grand Concourse, New York, New York.
Housewife.
HARRY BALSAM — Buyer.
December 18, 1901.
Republican
HARRY BALSAM — Republican.

HOWARD M. REALE — #8

Residence Address:

Occupation:

1948 Voting Registration:

1065 Lexington Avenue, New York City.
Contractor
METRO DECORATING COMPANY
552 West 125th Street, New York City.
Democrat
MURIEL REALE — Democrat.

Mrs. INEZ M. DANIELSON — #9

Residence Address:

Occupation:

1948 Voting Registration:

611 West 158th Street, New York 32, N. Y.
Housewife.
No record.

MICHAEL J. MARCELLO — #10

Residence Address:

Occupation:

Birth Date:

1948 Voting Registration:

2070 Yates Avenue, New York, New York.
Salesman
R. H. MACY & COMPANY
34th Street and Seventh Avenue, New York City
March 12, 1900.
Democrat.

Letter to Director
NY 65-14932

WILFRED LLOYD — #11
Residence Address:
Occupation:
Birth Date:
1948 Voting Registration:

241 Dante Avenue, Tuckahoe, New York.
Painting contractor.
July 4, 1883.
Republican.

Mrs. ANNE KAIAN — #12
Residence Address:
Occupation:
Husband's Name and Occupation:
Birth Date:
1948 Voting Registration:

315 East 196th Street, New York City.
Housewife.
HARRY KAIAN — Clerk.
March 11, 1905.
Democrat
Husband: HARRY KAIAN — Republican.

ALTERNATE JURORS

Mrs. CONSTANCE M. JONES — #13
Residence Address:
Occupation:

3234 West 98th Street, New York City.
Typist
Division of Procurement
342 Madison Avenue, New York City.
December 15, 1916.
Democrat.

Birth Date:
1948 Voting Registration:

PAUL G. AUSTER — #14
Residence Address:
Occupation:

1167 Sackett Avenue, Bronx, New York.
Schedule maker
COMBUSTION ENGINEERING COMPANY
200 Madison Avenue, New York City.
Democrat
VIRGINIA AUSTER — same address —
Democrat.

1948 Voting Registration:

Mrs. AMY UHLFELDER — #15
Residence Address:
Occupation:
Husband's Name:
Birth Date:
1948 Voting Registration:

215 West 92nd Street, New York City.
Housewife.
IRA UHLFELDER.
March 26, 1899.
Blank.

Letter to Director
NY 65-14932

No derogatory information was located in the indices of the New York Office or in the records of the Credit Bureau of Greater New York on any of the above-mentioned jurors or alternate jurors. The names of the husbands or wives, when such were known, were also checked through the indices of the New York Office with negative results.

J. R.

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

New York, New York
January 25, 1950

Transmit the following Teletype message to: BOSTON URGENT

JUDITH COPLON; ESPIONAGE - R. PLEASE FURNISH THIS OFFICE IMMEDIATELY WITH A CERTIFIED COPY OF THE RECORD OF THE CRIMINAL DIVISION, WEST ROXBURY COURT, WHICH SHOWS THAT ON JULY EIGHT NINETEEN FORTY SEVEN SOL BURTON LEVINE, WA. MAJOR ROBERT SOLBY, WAS CONVICTED FOR LARCENY IN HAVING STOLEN TWO HUNDRED DOLLARS AND WAS GIVEN ONE YEAR'S PROBATION. ALSO HAVE CERTIFICATION STATE THAT SUCH CONVICTION CONSTITUTED A CONVICTION OF A FELONY. GOVERNMENT ATTORNEYS DESIRE TO HAVE THIS IN THEIR POSSESSION IN EVENT SOLBY TESTIFIES AS AN EXPERT ON BEHALF OF COPLON IN COMING TRIAL. EXPEDITE.

SCHEIDT

CC NY 65-14939

☒ MR. SCHEIDT
☒ MR. BELMONT
☒ MR. WHELAN
☒ MR. COLLIER
☒ MR. GRANVILLE
☒ MR. HUGHES
☒ MR. KENNEDY
☒ MR. LEVVIS
☒ MR. MARCHESSAULT
☒ MR. RAGAN
☒ NIGHT SUPERVISOR
☒ MR. KING
☒ MR. TUOHY
☒ MR. WALSH
☒ MR. WOHL
☒ CHIEF CLERK
☒ PROPERTY CLERK
☒ TRAINING UNIT

TSM:ac
65-14932 (#6)

Approved: E. J. [Signature]
Special Agent in Charge

Sent 10-14 PM Per [Signature]

65-14932-813-8

DEPUTY ASSISTANT
DIRECTOR IN CHARGE
- NEW YORK OFFICE -

NEW YORK, NEW YORK
JANUARY 25, 1950

BUREAU, WASHINGTON FIELD...URGENT

VALENTINE A. GUBITCHEV, ESPIONAGE-R. RELATIVE TO COMING TRIAL, THE GOVERNMENT ATTORNEYS HAVE STATED THAT THEY WILL POSSIBLY INTRODUCE EVIDENCE SHOWING THE TWENTY-DOLLAR BILL IN GUBITCHEV'S POSSESSION AT THE TIME OF HIS ARREST ON THREE FOUR FORTY-NINE WAS ORIGINALLY GIVEN TO THE SOVIET CONSULATE IN NINETEEN FORTY-SIX, IN VIEW OF ITS NEW APPEARANCE, IF THE OPPORTUNITY PRESENTS ITSELF DURING THE TRIAL. CLEARANCE HAS ALREADY BEEN OBTAINED FROM THE FEDERAL RESERVE BANK, NY, TO USE SUCH INFORMATION UPON THE PROPER ISSUANCE OF A SUBPENA. DURING WASHINGTON TRIAL PALMER REPEATEDLY INTIMATED THAT GUBITCHEV HAD BEEN PAID ON THREE FOUR FORTY-NINE IN AN ATTEMPT TO EXPLAIN THE PRESENCE OF ONE HUNDRED AND TWENTY-FIVE DOLLARS IN AN ENVELOPE IN HIS POSSESSION AT TIME OF ARREST. GOVERNMENT ATTORNEYS REQUEST INFORMATION BE OBTAINED, IF POSSIBLE, FROM UNITED NATIONS AS TO WHEN GUBITCHEV GOT PAID IMMEDIATELY PRIOR TO AND INCLUDING THREE FOUR FORTY-NINE, IF BY CHECK OR CASH AND THE AMOUNT OF PAYMENT. BUREAU REQUESTED TO ADVISE WHETHER IT DESIRES TO OBTAIN THIS INFORMATION THROUGH STATE DEPT WASHINGTON OR

CC NY 65-14932 ✓

TSM:GM (#6)
65-14939

15-14932-814 ✓

NY 65-14932 (2)

WHETHER MY SHOULD APPROACH THOMAS POWER, LIAISON OFFICER BETWEEN
STATE DEPT AND UNITED NATIONS, RELATIVE TO THIS.

EDWARD SCHEIDT

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

January 25, 1950

MEMO

**RE: JUDITH COPLON
VALENTINE A. GUBITCHEV
ESPIONAGE - R**

MR. SCHEIDT
MR. BELMONT
MR. WHEELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGGINS
MR. KENNEDY
MR. LADD
MR. MARCUSSEAU
MR. ROSEN
MR. TRACY
MR. WHEARTY
MR. WILSON
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

On the afternoon of January 25, I called Mr. H. E. Fletcher of the Bureau to advise him that the three alternate jurors were selected this morning. The details concerning these jurors are being set forth in a letter to the Bureau today.

Mr. Fletcher was advised that court then adjourned and will start tomorrow morning with the opening arguments. Mr. Whearty advised that it is very apparent that PALMER will attempt to introduce the use of wire tapping by the FBI throughout the trial and in all probability will question each witness to some extent in that respect. Mr. Fletcher was advised that according to Mr. Whearty and Mr. Kelley, they are going to follow the same line of proof as in Washington and in all probability no witnesses from the FBI will be required this week. The first witnesses after the Departmental witnesses are here in New York City; consequently, we will have some notice before calling for Washington witnesses. Mr. Whearty advised that GUBITCHEV had appeared in court with a swollen cheek from a toothache and that POMERANTZ said that GUBITCHEV was going to have the tooth pulled this afternoon and might not be able to be present tomorrow, in which case POMERANTZ could go ahead with his opening argument. However, the judge rebuked POMERANTZ saying that there would be no trial in absentia; that we do not do things that way in this country.

Mr. Fletcher was advised that I informed Mr. Whearty and Mr. Kelley that Agent Miller would be available to sit at the counsel table. At that time they brought up the question of having another agent in the court room to make such notes as we felt necessary to be kept currently advised of the progress of the trial. They felt that Agent Miller would be busy with the developments of the trial and would not have an opportunity to report developments. It was their opinion that it would be well for us to continue, as we did during the pre-trial hearing, with Agent John O'Mara in the court room. We brought up the question that PALMER would create a scene at this and Whearty and Kelley felt that Judge Ryan's attitude was different from that of Judge Reeves and that it would make no difference even if O'Mara's presence became known. I told Mr. Fletcher that we advised them we would give this consideration.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-815
FBI - NEW YORK
JAN 25 1950
Miller
JSM

*Mr. Fletcher says
Wait until trial has
progressed for 4 days
& then we will consider*

MR. SCHWIDT
MR. DELMONT
MR. WHELAN
MR. COLLIER
MR. STILLE
MR. HARRIS
MR. GORDY
MR. ...
MR. ... ASSAULT
MR. ...
MR. ... SUPERVISOR
MR. ...
MR. ...
MR. ...
MR. ...
MR. ...
MR. ... CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO

At 11:55 am today, I called Mr. H. B. Fletcher to advise him that SA T. S. Miller had informed me that the government had completed its opening argument, using the same line that was used in Washington and that POMERANTZ had finished his argument. From the argument of POMERANTZ, it is apparent that GUBITCHEV is going to use the love defense as set up by JUDITH COPLON in her Washington trial. POMERANTZ stated that GUBITCHEV was worried about his affair with COPLON because he was a married man and a Russian and that he first became aware of the surveillance on January 14, 1949 when he departed from the subway.

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14939

Mr. Fletcher was also
advised that S.A.
Gauthier should be
in N.Y.C. tomorrow
morning.

65-14732-816
FBI - NEW YORK
JAN 26 1950
Stulle

**Federal Bureau of Investigation
United States Department of Justice
New York - New York**

Cur
 ...MR. SCHEIDT
 ...MR. BELMONT
 ...MR. CLEGGAN
 ...MR. COLLIER
 ...MR. CONVILLE
 ...MR. FOS
 ...MR. GARDY
 ...MR. LADD
 ...MR. MARCHESSAULT
 ...MR. NICHOLS
 ...MR. SUPERVISOR
 ...MR. TAYLOR
 ...MR. WALSH
 ...MR. WOHL
 ...CHIEF CLERK
 ...PROPERTY CLERK
 ...TRAINING UNIT

January 26, 1950

MEMORANDUM

65-14809-
 100-0-3462
 65-1819-7673-36
 66-1283-02-8925/4-1
 100-0-54295
 65-7821-1337-17
 -151482

While talking to me on another matter today, Mr. L. B. Nichols stated that there was a vicious article in the January 25th issue of **PATHFINDER MAGAZINE** with reference to the **COPLON** trial, indicating that top lawyer had said that the Judge will kick the case out and that top lawyers in the Department had mentioned the possibility of convicting Agents for perjury.

ES:gu

*This is a subscription
 magazine emanating
 from Chicago. Not at
 new dealers stands -*

EDWARD SCHEIDT
 SAC

65-14932-816a
 F. B. I.

JAN 26 1950
 N. Y. C.

T. Miller

M.N.

Federal Bureau of Investigation
United States Department of Justice
New York, New York

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. COVIL
MR. GAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. HARBO
MR. MOHR
MR. WINTERROWD
SAULT
ADVISOR
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

January 26, 1950

MEMO

Re: JUDITH COPLON; VALENTIN GUBITCHEV
ESPIONAGE - R

On January 26th Mr. H. B. Fletcher called with reference to our teletype requesting authority to contact Mr. THOMAS POWER, of the U.S. Mission in the United Nations, to ascertain the ~~one~~ salary that was paid to GUBITCHEV, with particular reference to the \$125.00 which was taken from him at the time of his arrest. Mr. Fletcher advised that the Bureau approved discreetly contacting Mr. POWER for this purpose.

On the afternoon of January 26th I advised Mr. Fletcher that Mr. FRANKE, of the Department, had taken the stand and testified as to the identity of JUDITH COPLON and Mr. PALMER had him produce an efficiency report giving a rating of excellent. After his testimony, SA Richard Hradsky took the stand and testified concerning his observations of his surveillance on January 14, 1949. Cross examination by PALMER was brief, about fifteen minutes or so. Cross examination by POMERANTZ was also brief and when Court adjourned at 4:05 p.m., Hradsky is due to go back on the stand in the morning for a couple of additional questions by POMERANTZ. POMERANTZ stressed the incident where COPLON waved the newspaper at GUBITCHEV.

Mr. Fletcher was advised that 7 witnesses have been requested by the Government for tomorrow, namely, Agents Brennan, Malley, Robinson, Gauthier, McAndrews, Miss Manos, and SA Miller. All of these are in New York except Gauthier, who has been requested to come up to New York.

A. H. BELMONT
ASAC

AHB:MRW

65-14932-817

FBI - NEW YORK
JAN 26 1950

TS Miller 18m

Federal Bureau of Investigation
United States Department of Justice
New York, New York

January 26, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

While speaking to Mr. H. B. Fletcher of the Bureau on the morning of January 26, I called his attention to the article appearing in "Newsweek", issue of January 30, 1950, starting on page 16, entitled "The FBI Security Watch". This runs on for several pages and goes into the activities of the Bureau with particular reference to the HISS case, the COPLON case and the Communist Party case and wire tapping. The article, under the subheading "Wire Taps", stated "he was able to demonstrate that if FBI agents had not committed perjury in describing the Bureau's wire tap activities, they had skirted very close to it. Agent T. Scott Miller had testified in May, during the Washington trial, that he did not know phones were being tapped. He was forced to admit in February 1949 he had personally destroyed records of these interceptions."

Mr. Fletcher advised that he would immediately get a copy of this magazine.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-818

FBI - NEW YORK
JAN 26 1950
T. S. Miller

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.

JANUARY 26, 1950

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT
JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R
IN CHAMBERS BEFORE COURT CONVENED THIS MORNING, JUDGE RYAN ADVISED THAT HE
WAS NOT GOING TO RESTRICT PALMER IN ANY WAY CONCERNING REFERENCES OR CROSS
EXAMINATION OF WITNESSES CONCERNING WIRE TAPPING ACTIVITY OF FBI IN CONNECTION
WITH INVESTIGATION OF COPLON AND GUBITCHEV. MR. WHEARTY OF DEPARTMENT MADE
THE OPENING STATEMENT FOR GOVERNMENT AND BRIEFLY WENT OVER ACTIVITIES OBSERVED
BY SURVEILLING AGENTS ON JANUARY FOURTEENTH, FEBRUARY EIGHTEENTH AND MARCH
FOURTH, FORTY NINE, TOGETHER WITH THE TYPE OF DOCUMENTS FOUND IN HER POSSESSION
AFTER HER ARREST. POMERANTZ GAVE A HALF HOUR OPENING STATEMENT DURING WHICH
TIME HE STATED THAT GUBITCHEV HAD BEEN INVITED BY THE UNITED NATIONS TO COME
TO THE U.S. TO ASSIST IN THE BUILDING OF UNITED NATIONS HEADQUARTERS IN NY
IN YEAR NINETEEN FORTY SIX. HE SAID THAT GUBITCHEV FIRST RESIDED IN AN
APARTMENT ON ONE HUNDRED AND SIXTH STREET AND LATER MOVED TO ONE ON ONE
HUNDRED AND EIGHTH STREET. POMERANTZ STATED THAT THERE WAS GOING TO BE VERY
LITTLE DIFFERENCE AS TO THE FACTS HE ADMITS AND THE FACTS AGENTS WILL TESTIFY
TO CONCERNING ACTIVITIES OF THE DEFENDANTS ON THE THREE DATES IN QUESTION.
POMERANTZ STATED, HOWEVER, HE WILL PUT AN ENTIRELY DIFFERENT INFERENCE ON
SUCH FACTS. HE SAID HE WILL SHOW THAT BETWEEN THIRTY AND FORTY AGENTS SUR-
VEILLED COPLON AND GUBITCHEV AND NEVER SAW ANYTHING PASS BETWEEN THE TWO,
AND FURTHER THAT ON THE NIGHT OF MARCH FOURTH, FORTY NINE, COPLON AND GUBITCHEV
WERE TOGETHER FROM THREE TO FOUR HOURS AND HAD AMPLE OPPORTUNITY FOR COPLON
TO GIVE GUBITCHEV THE MATERIAL SHE HAD IN HER POSSESSION AT THE TIME OF HER

TSM:CTC

65-14932

cc - 65-14939 (Gubitchev)

Approved: _____

Special Agent in Charge

Sent

4:23 PM

Per

AB

65-14932-819

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

1/26/50

Transmit the following Teletype message to:

ARREST. POMERANTZ STATED THAT HE WOULD FURTHER SHOW THAT FBI WAS EXTREMELY DISAPPOINTED UPON ARRESTING GUBITCHEV AND FOUND NOTHING IN HIS POSSESSION WHICH WAS THE PROPERTY OF THE U.S. HE SAID THAT THE JURY SHOULD NOTICE THAT THE GOVERNMENT WAS CHARGING HIM WITH ATTEMPTING ESPIONAGE AND NOT THE ACTUAL COMMISSION OF IT. HE SAID HE WOULD SHOW THAT GUBITCHEV'S BEHAVIOR WAS ENTIRELY INCONSISTENT WITH WAY REAL SPY WOULD ACT. HE SAID HE WOULD SHOW THAT THE MEETING PLACE OF THE THREE DATES WAS NOT A DESOLATE PLACE BUT WAS NEAR FORT TRYON PARK WHICH HAD A ROMANTIC SETTING. HE FURTHER STATED THAT HE WOULD SHOW THAT THIS SPOT WAS DELIBERATELY CHOSEN AS AN OUT-OF-THE-WAY PLACE FROM BOTH THE HOMES OF COPLON AND GUBITCHEV FOR TWO REASONS, FIRST THAT GUBITCHEV WAS A RUSSIAN AND COPLON WAS A GOVERNMENT WORKER SUBJECT TO "TRUMAN'S LOYALTY PROGRAM" AND THEIR MEETING WOULD NORMALLY AROUSE SUSPICION, AND SECONDLY, HE SAID THAT GUBITCHEV WAS MARRIED AND COPLON WAS SINGLE AND THEREFORE THEY WANTED TO MEET IN AN OUT-OF-THE-WAY PLACE. POMERANTZ THEN WENT THROUGH, IN DETAIL, THE MEETING OF JANUARY FOURTEENTH, FORTY NINE, AS DESCRIBED BY THE AGENTS AND WENT INTO CONSIDERABLE DETAIL ABOUT THE NEWSPAPER WAVING INCIDENT. POMERANTZ CONTINUALLY BELITTLED THE GOVERNMENT'S POSITION THAT THE ACTIVITIES OF THE TWO WHILE TOGETHER WERE INDICATIVE OF AN ESPIONAGE MEETING. POMERANTZ STATED THAT GUBITCHEV ON THE NIGHT OF JANUARY FOURTEENTH, FORTY NINE, BECAME SUSPICIOUS THAT HE WAS BEING FOLLOWED WHEN HE ENTERED THE SUBWAY STATION AT ONE HUNDRED AND SIXTEENTH STREET AND BROADWAY AND THEREFORE THAT ACCOUNTED FOR HIS PECULIAR ACTIONS AFTER THAT DATE. HE SAID

Approved: _____
Special Agent in Charge.

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

-----3-----

1/26/50

Transmit the following Teletype message to:

THAT HE WOULD SHOW THAT BETWEEN JANUARY FOURTEENTH AND FEBRUARY EIGHTEENTH GUBITCHEV HAD EVERY REASON TO BELIEVE HE WAS BEING TAILED AND THEREFORE WAS FRIGHTENED. HE THEN BARELY TOUCHED ON FEBRUARY EIGHTEENTH MEETING AND SAID IT WAS JUST LONG ENOUGH FOR GUBITCHEV TO EXPRESS HIS FEARS OF BEING FOLLOWED TO COPLON. POMERANTZ SAID THAT HE WILL NOT TAKE MUCH ISSUE WITH GOVERNMENT ON FACTS RELATIVE TO MARCH FOURTH BUT WOULD SHOW DIFFERENT INFERENCES AND AGREED WITH GOVERNMENT THAT GUBITCHEV AND COPLON ACTED ABNORMALLY ON THAT NIGHT. HE WENT INTO DETAILED DISCUSSION OF THE TWO GETTING OFF THE SUBWAY AT THIRD AVENUE AND FOURTEENTH STREET AND POINTED OUT THAT IF THEY WERE SPIES THEY CERTAINLY COULD HAVE GOTTEN FURTHER THAN ONE SHORT BLOCK IN THE FIFTEEN MINUTES THEY WERE NOT UNDER SURVEILLANCE. PALMER THEN GAVE HIS OPENING STATEMENT WHICH LASTED A LITTLE OVER AN HOUR, DURING WHICH TIME HE TOUCHED VERY LITTLE UPON THE SURVEILLANCE TESTIMONY OF THE AGENTS. HE DEALT MAINLY ON THE IDEA THAT ENTIRE CASE WAS A FRAMEUP AGAINST COPLON CONCEIVED BY SAAG/WHEARTY AFTER FBI HAD FAILED TO MAKE ESPIONAGE CASE AGAINST HER. HE WENT THROUGH SAME DISCUSSION ABOUT ALLEGED FRAMEUP THAT HE HAS PREVIOUSLY INCLUDING FOLEY'S ALLEGED INSTRUCTIONS TO COPLON TO COPY THE DECEPTIVE MEMORANDUM OF MARCH THIRD, FORTY-NINE, MILLER'S KNOWING EXACTLY WHERE IT WAS IN THE PURSE AFTER THE ARREST, THE WASHINGTON FIELD AGENTS REMAINING IN NY ON MARCH FOURTH WHEREAS ON PREVIOUS TIMES THEY HAD RETURNED TO WASHINGTON, AGENT BEDFORD'S FAILURE TO RECORD CONVERSATION BETWEEN COPLON AND FOLEY ON MORNING OF MARCH FOURTH, FORTY NINE. PALMER ALSO WENT INTO GREAT DETAIL

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

---4---

1/26/50

Transmit the following Teletype message to:

CONCERNING THE WIDESPREAD WIRE TAPPING ACTIVITY AND USE OF MICROPHONES BY FBI IN CONNECTION WITH THIS CASE. HE SPECIFICALLY POINTED OUT THAT EVERY TIME COPLON CAME TO NY FROM WASHINGTON FBI HAD ADVANCE INFO OF HER PLANS AND THEREFORE UTILIZED THIS INFO TO FURTHER THIS CASE. HE SAID THAT FBI DELIBERATELY DESTROYED DISCS AND RECORDS PERTAINING TO THESE TELEPHONE TAPS BECAUSE THEY WOULD PROVE COPLON'S INNOCENCE IF THEIR CONTENTS WERE DIVULGED TO JURY. PALMER ALSO TOUCHED VERY LITTLE ON "LOVE ANGLE" OF CASE BUT REITERATED THAT COPLON WAS ROMANTICALLY INCLINED TOWARD GUBITCHEV AND THAT MEETINGS OF FEBRUARY EIGHTEENTH AND MARCH FOURTH, FORTY NINE WERE FOR PURPOSE OF GETTING AN EXPLANATION FROM HIM AS TO WHY HE HAD NOT TOLD HER OF HIS MARRIAGE PRIOR TO JANUARY FOURTEENTH. THERE ^{MAY BE} ~~WERE~~ SEVERAL INCONSISTENCIES IN POMERANTZ' AND PALMER'S STATEMENTS RELATIVE TO FACTS AS TESTIFIED TO BY COPLON IN WASHINGTON. AMONG THESE WAS STATEMENT BY PALMER TODAY THAT AFTER COPLON AND GUBITCHEV LEFT CARNASIE SUBWAY AT THIRD AVENUE AND FOURTEENTH STREET, THEY STOOD ON CORNER FOR FIFTEEN MINUTES AND CONVERSED BEFORE THEY WERE ARRESTED BY FBI. COPLON HAD PREVIOUSLY TESTIFIED THAT THEY WANDERED AIMLESSLY ABOUT NEIGHBORHOOD. POMERANTZ GAVE REASON SET OUT ABOVE AS TO WHY THE MEETING PLACE WAS CHOSEN, WHEREAS COPLON IN WASHINGTON SAID THAT ON ALL THREE OCCASIONS GUBITCHEV EXPLAINED TO HER THAT HE HAD TO MEET A BUSINESS ASSOCIATE IN THAT NEIGHBORHOOD THAT EVENING. GOVERNMENT ATTORNEYS HAVE DECIDED TO CHANGE ORDER OF WITNESSES, PUTTING NATHAN FRANKE, ADMINISTRATIVE OFFICER OF DEPARTMENT, TO IDENTIFY COPLON AS A POLITICAL ANALYST IN PARS.

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

---5---

1/26/50

Transmit the following Teletype message to:

THEN, INSTEAD OF PUTTING FOLEY ON, ATTORNEYS WILL PUT ON AGENTS RICHARD T. HRADSKY, RICHARD E. BRENNAN, J. F. MALLEY AND ROGER W. ROBINSON IN THAT ORDER. AFTER THIS, THEN FOLEY WILL TESTIFY. JUDGE RYAN HAS SUGGESTED THAT INASMUCH AS THE TESTIMONY OF AGENTS IS GOING TO BE SPLIT UP BY DATES, THAT ALL OF THE AGENTS TESTIFYING ABOUT A PARTICULAR DATE GIVE THEIR DIRECT TESTIMONY ONLY, AFTER WHICH PALMER OR POMERANTZ MAY RECALL ANY OR ALL OF THEM FOR PURPOSES OF CROSS EXAMINATION. PALMER HAS INDICATED TO JUDGE RYAN THAT HE IS GOING TO OBJECT TO THIS MANNER OF PRODUCING THE EVIDENCE BY GOVERNMENT. COURT WILL RECONVENE AT TWO FORTY PM AND WILL RECESS AT FOUR PM.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
JANUARY 26, 1950*Encode*

Transmit the following Teletype message to:

OMAHA....ROUTINE

✓ ✓ ✓ ✓ ✓
JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP-R. TRIAL OF SUBJECTS BEGAN
TODAY, NYC. REQUEST SA BREWER WILSON REMAIN AVAILABLE FOR TESTIMONY IN
TRIAL. NYO WILL ADVISE WHEN WILSON'S PRESENCE NEEDED.

Shu
SCHEIDT

65-14932

cc - 65-14939

*encoded by JFM*Approved: *E. Sa*

Special Agent in Charge

Sent 825P MPer *JFM**65-14932-820*

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

New York, New York
January 26, 1950

MR. SCHEDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
FIELD UNIT
URGENT
MR. TUOHY
MR. WALSH
MR. WOHL
CHIEF CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU, WASHINGTON

JUDITH COPLON; ESPIONAGE - R. THE AFTERNOON SESSION BEGAN AT TWO FORTY P.M. AND WAS OVER AT FIVE MINUTES PAST FOUR. THE FIRST WITNESS FOR THE GOVERNMENT WAS NATHAN FRANKE, AN ADMINISTRATIVE OFFICER OF THE CRIMINAL DIVISION OF THE DEPARTMENT OF JUSTICE. MR. FRANKE TESTIFIED THAT JUDITH COPLON ENTERED ON DUTY WITH THE DEPARTMENT OF JUSTICE IN JUNE, NINETEEN FORTY THREE AND WAS SUBSEQUENTLY TRANSFERRED TO WASHINGTON, D.C., ON JANUARY SIXTEEN, NINETEEN FORTY FIVE. HE TESTIFIED THAT THE RECORDS OF THE DEPARTMENT INDICATE THAT UPON HER TRANSFER TO WASHINGTON SHE WAS ASSIGNED TO THE FOREIGN AGENTS REGISTRATION SECTION AS A POLITICAL ANALYST. ON MARCH SEVEN, NINETEEN FORTY NINE, JUDITH COPLON WAS SUSPENDED FROM THE DEPARTMENT AS A RESULT OF HER ARRAIGNMENT IN THE INSTANT CASE EFFECTIVE AT THE CLOSE OF BUSINESS MARCH FOUR, NINETEEN FORTY NINE. THE GOVERNMENT INTRODUCED COPLON'S ORIGINAL LETTER OF APPOINTMENT WITH THE DEPARTMENT. DURING A BRIEF CROSS EXAMINATION BY PALMER THE LATTER GOT FRANKE TO ADMIT IN EVIDENCE AN EFFICIENCY REPORT ON COPLON CLASSIFYING HER AS EXCELLENT. AT THIS TIME MR. KELLY REQUESTED PERMISSION OF THE COURT TO ALLOW SAS T. S. MILLER AND LEO GAUTHIER TO SIT AT THE GOVERNMENT COUNSEL TABLE. PALMER OBJECTED TO MILLER ON THE GROUNDS THAT HE WOULD BE A WITNESS AND TO GAUTHIER ON THE GROUNDS THAT HIS TESTIMONY INTRODUCING THE CHARTS WAS INCOMPETENT, THEREFORE, HIS PRESENCE IN COURT WAS UNNECESSARY. JUDGE RYAN OVERRULED BOTH OBJECTIONS AND STATED THAT THE AGENTS COULD REMAIN IN COURT. SA RICHARD T. HRADSKY THEN TOOK THE STAND AND UNDER CROSS EXAMINATION TESTIFIED TO HIS OBSERVATIONS ON JANUARY FOURTEEN AND JANUARY FIFTEEN, NINETEEN FORTY

cc 65-14939

TSM:MM (10)
65-14932

Approved: *Chap*

Special Agent in Charge

Sent 905 P M

Per *REST*

65-14932-821

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

PAGE TWO

65-14932

Transmit the following Teletype message to:

NINE. PALMER TOOK OVER CROSS EXAMINATION AND INTRODUCED THROUGH HRADSKY PHOTOSTATIC COPIES OF HRADSKY'S OWN NOTES FOR JANUARY FOURTEEN AND THE SURVEILLANCE LOG ON COPLON FOR THE SAME DATE. THE JUDGE STATED HE COULD SEE NOTHING INCONSISTENT IN THE NOTES WITH HRADSKY'S TESTIMONY BUT THAT WAS A MATTER FOR THE JURY TO DECIDE SO HE WOULD, THEREFORE, ADMIT THEM. PALMER CROSS EXAMINED IN DETAIL ONLY PERTAINING TO THE NEWSPAPER WAVING INCIDENT AND WAS FINISHED WITH HRADSKY IN ABOUT TWENTY MINUTES. POMERANTZ CROSS EXAMINED HRADSKY ON PRECISELY THE SAME INCIDENT FOR FIVE MINUTES AND INDICATED, WHEN COURT ADJOURNED, THAT HE WOULD BE ONLY A FEW MORE MOMENTS WITH HRADSKY. GOVERNMENT ATTORNEYS HAVE REQUESTED THE FOLLOWING WITNESSES TO STAND BY FOR TOMORROW: SAS BRENNAN, MALLEY, ROBINSON, GAUTHIER, MC ANDREWS, CHIEF CLERK SAPPHO MANOS, AND AGENT MILLER. THE GOVERNMENT ATTORNEYS NOW PLAN TO INTRODUCE ALL OF THE PHYSICAL SURVEILLANCE TESTIMONY PERTAINING TO JANUARY FOURTEEN AND FEBRUARY EIGHTEEN, NINETEEN FORTY NINE PRIOR TO PUTTING FOLEY AND ROSSON ON THE STAND. COURT RECONVENED AT TEN THIRTY A.M. TOMORROW WITH THE CROSS EXAMINATION OF HRADSKY BY POMERANTZ CONTINUING. 13

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M. Per _____

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, NEW YORK
FROM : SAC, BOSTON
SUBJECT: JUDITH COPLON
ESPIONAGE - R

DATE: January 26, 1950

CONFIDENTIAL (U)

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. HUGHES
MR. KENNEDY
MR. LEVY
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUCHY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Re New York tel dated 1/25/50.

There are enclosed with this communication the following documents:

Certified copy of the judgment against SOL B. LEVINE, #51735, West Roxbury District Court, attested by GEORGE B. STEBBINS, Clerk of said court.

Certified copy of report to the West Roxbury Municipal Court from DR. WILLIAM L. HOLT, Acting Medical Director, Boston Psychopathic Hospital, dated June 16, 1947 to which SOL B. LEVINE had been committed by order of the court. It is noted that this document, by law, is a part of the record maintained on this individual in the West Roxbury District Court. Although this document was not requested in referenced teletype, it is believed that the contents thereof may be of value in the cross examination of this witness. This document is attested by GEORGE B. STEBBINS, Clerk of said court.

Certification by the Justice of the Municipal Court of the West Roxbury District of the City of Boston, Massachusetts, Judge DANIEL W. CASEY that GEORGE B. STEBBINS is the duly authorized clerk of the Municipal Court of the West Roxbury District of the City of Boston and certification by the said clerk, GEORGE B. STEBBINS, that the signature appearing on this instrument is that of the Justice of the said Municipal Court.

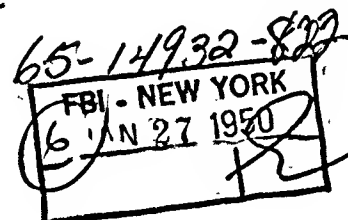
A certified copy of Sections 1 and 2 of Chapter 282, Acts of 1945, (in operation at the time of the conviction of the said SOL B. LEVINE), witnessed by the Great Seal of the Commonwealth of Massachusetts and signed by the Deputy Secretary of the said Commonwealth.

No further action is being taken in this matter at Boston.

LHB:MAN
65-3268

~~AIR-MAIL~~ Registered mail
SPECIAL DELIVERY

Searched _____
Serialized *Em*
Indexed _____
Filed *Em*



1-27-50
all Enclosures
given SAA & whearty
R

Federal Bureau of Investigation
United States Department of Justice
New York, New York

January 27, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. TUGGS
MR. KENNEDY
MR. LUTTS
MR. SAULT
MR. VISOR
MR. CLERK
PROPERTY CLERK
TRAINING UNIT

On the morning of January 27, I advised Mr. H. B. Fletcher of the Bureau that we are carefully analyzing the opening arguments of the defense attorneys, the daily transcript of the trial, particularly from the standpoint of cross examination reflecting those items for which the defense attaches significance, and the previous trial in Washington for the purpose of developing evidence and possible witnesses to refute the defense being used by GUBITCHEV and COPLON and to tax the defendants with inconsistencies in the event they take the stand. As an example, should PALMER attempt to place his so-called expert SOLBY on the stand relative to the recordings emanating from the Washington tel-mike, we will be in a position to thoroughly discredit SOLBY because of his previous fraudulent activities and criminal record.

Mr. Fletcher was advised that the primary angle of defense thus far is a love affair between COPLON and GUBITCHEV. From our knowledge of Soviet espionage activities, particularly as gained through interviewing persons formerly engaged in these activities, we know that one of the fundamental instructions given to Soviet agents is that if they are picked up by authorities they should use the defense that their unusual activities were the result of a love affair. HEDE MASSING has informed us that she received such instructions. Mr. Fletcher was advised that we are considering pursuing this angle further from the standpoint of producing other witnesses such as MASSING who can testify that they had received such instructions. Mr. Fletcher was advised that prior to taking this up with Mr. Kelley and Mr. Whearty, I wanted the Bureau's thoughts on the matter as well as any witnesses beside HEDE MASSING who might be effective in this respect. I advised him we are considering as possibilities Mrs. ROBERT GORDON SWITZ and possibly others to whom we have talked in the past.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-823

FBI - NEW YORK
JAN 27 1950

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
JAN. 27, 1950

MR. SCHEIDT
MR. BELMONT 36
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. WOHL
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU AND WFO - URGENT
JUDITH COPLON, ESPIONAGE R. COURT CONVENED AT TEN THIRTY AM TODAY, WHICH TIME SA HRADSKY CONTINUED TO BE CROSSEXAMINED BY POMERANTZ. POMERANTZ DWELLED MAINLY ON HRADSKY'S PARTICIPATION IN THE SURVEILLANCE OF JANUARY FIFTEEN RE GUBITCHEV, DURING WHICH TIME HE INTIMATED TO THE COURT THAT HE WAS GOING TO BRING OUT THRU SA MILLER THE REASON WHY AGENTS HAD BEEN SENT TO SIX EIGHTY PARK AVE. PALMER ASKED A FEW MORE QUESTIONS AND, AFTER A BRIEF REDIRECT BY KELLEY, SA HRADSKY WAS ALLOWED TO LEAVE THE STAND. POMERANTZ REQUESTED THAT THE COURT DIRECT THE GOVERNMENT TO PRODUCE ANY NOTES MADE BY SA HRADSKY IN CONNECTION WITH THE SURVEILLANCE OF JANUARY FIFTEEN. THE GOVERNMENT VIGOROUSLY OBJECTED TO THIS, AT WHICH TIME JUDGE RYAN STATED THAT THEY SHOULD BE PRODUCED AND HE WOULD INSPECT THEM TO DETERMINE WHETHER OR NOT THEY DIFFERED IN ANY WAY WITH HRADSKY'S TESTIMONY. / IN LINE WITH THIS, THE SURVEILLANCE LOG COVERING THE ACTIVITY OF THE SURVEILLANCE OF JANUARY FIFTEEN WILL BE TURNED OVER TO THE GOVERNMENT ATTORNEYS. SA RICHARD E. BRENNAN TOOK THE STAND AND WAS STILL ON DIRECT EXAMINATION WHEN COURT RECESSED FOR LUNCH AT TWELVE FORTY FIVE PM. COURT WILL RECONVENE AT TWO PM AND WILL SIT UNTIL FOUR PM. SEVERAL PHOTOS WERE INTRODUCED WHICH HAD BEEN DONE IN THE PREVIOUS TRIAL. IT MIGHT BE STATED THAT JUDGE RYAN INTIMATED HE WAS GOING TO ALLOW CROSS EXAMINATION OF THE SURVEILING AGENTS RELATIVE TO THEIR SURVEILLANCE ACTIVITY OF COPLON ON DAYS OTHER THAN THE PERTINENT

TSM:MFB
65-14932

CC 65-14939 Approved: E. J. [Signature]
Special Agent in Charge

Sent 324p M

Per [Signature]

65-14932-823a

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

-2-

Transmit the following Teletype message to:

DATES. IT MIGHT BE STATED THAT BOTH PALMER AND POMERANTZ CONCEDED
BRENNAN'S TESTIMONY CONCERNING THE MOVEMENTS OF COPLON FROM THE
TIME SHE LEFT THE SUBWAY STATION AT ONE HUNDRED NINETY FIRST STREET
AND THE TIME SHE MET GUBITCHEV JANUARY FOURTEEN.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
JAN. 27, 1950

FD-36
...MR. SCHEIDT
...MR. BELMONT
...MR. WHELAN
...MR. COLLIER
...MR. GRANVILLE
...MR. HUGHES
...MR. KENNEDY
...MR. LEVVIS
...MR. MARCHESSAULT
...MR. RAGAN
...NIGHT SUPERVISOR
...MR. KING
...MR. TUOHY
...MR. WOHL
...CHIEF CLERK
...PROPERTY CLERK
...TRAINING UNIT

Transmit the following Teletype message to: BUREAU AND WFO - URGENT
JUDITH COPLON, ESPIONAGE - R. COURT RECONVENED AT TWO PM, AT WHICH TIME
SA BRENNAN FINISHED DIRECT EXAMINATION AND WAS EXAMINED BY BOTH
AND POMERANTZ ON CROSS EXAMINATION. WHILE PALMER WAS CROSS EXAMINING
BRENNAN, HE DEMANDED THE PRODUCTION OF BRENNAN'S NOTES AS WELL AS THE
NOTES OF ALL THE AGENTS PERTAINING TO JANUARY FIFTEEN, FORTY NINE, AS
WELL AS LOGS FOR THE SAME DAY. THESE WERE INTRODUCED OVER STRENUOUS
GOVERNMENT OBJECTION, THE JUDGE COMMENTING AT THE TIME THAT THEY IN NO
WAY CONTRADICTED AGENTS TESTIMONY. THE ONLY AGENTS ORIGINAL NOTES AVAIL-
ABLE WERE THOSE OF HRADSKY AND BRENNAN. PALMER ALSO INTRODUCED BRENNAN'S
ORIGINAL NOTES IN CONNECTION WITH JANUARY FOURTEEN. DURING CROSS EXAMINA-
TION BY PALMER, BRENNAN WAS ASKED BY HIM IF HE HAD BEEN ASKED IN A PRE-
VIOUS TRIAL WHETHER HE KNEW AGENTS OF THE FBI HAD TAPPED COPLON'S TELE-
PHONE AND HE HAD STATED HE DID NOT KNOW THAT OF HIS OWN KNOWLEDGE, JUDGE
RYAN, OF HIS OWN VOLITION, OBJECTED TO THE QUESTION AND THE WITNESS WAS
NOT ALLOWED TO ANSWER IT. JUDGE RYAN THEN ASKED IF HE, BRENNAN, HAD
EVER ENGAGED IN INTERCEPTING TELEPHONE CONVERSATIONS AND DISCLOSING SUCH
TELEPHONE CONVERSATIONS. THE WITNESS SAID, NO. PALMER THEN TRIED TO
CROSS EXAMINE HIM CONCERNING HIS AFFIDAVIT WHEREIN BRENNAN SAID HE HAD
REVIEWED SUMMARIES OF TELEPHONE INTERCEPTIONS, BUT JUDGE RYAN WOULD NOT
ALLOW PALMER TO QUESTION BRENNAN ON THAT. PALMER'S CROSS EXAMINATION
WAS DIRECTED MAINLY AT THE NEWSPAPER WAVING INCIDENT AND POMERANTZ' CROSS

TSM:MFB
65-14932
CC: 65-14939 Approved: _____
Special Agent in Charge

Sent 10-53 PM

Per *[Signature]*

65-14932-824

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
-2-

Transmit the following Teletype message to:

EXAMINATION OF BRENNAN, THUS FAR, HAS BEEN AIMED MAINLY AT THE CIRCUM-
STANCES SURROUNDING THE EVENT ON JANUARY FOURTEEN, FORTY NINE WHEN
THE AGENTS LOST CONTACT WITH GUBITCHEV AT ONE HUNDRED SIXTEEN STREET
AND BROADWAY. IT WILL BE RECALLED THAT POMERANZZ, IN HIS OPENING
STATEMENT, SAID THAT THAT PARTICULAR EVENT WAS WHEN GUBITCHEV BECAME
AWARE THAT HE WAS BEING FOLLOWED. COURT RECONVENES AT TEN THIRTY
AM MONDAY WITH POMERANTZ' CROSS EXAMINATION OF BRENNAN CONTINUING,
AND THE COURT INDICATED THAT IN THE MIDDLE OF NEXT WEEK, HE WOULD
ASK THE JURORS IF THEY WOULD MIND COMMENCING TRIAL IN THE MORNINGS
AT TEN OR TEN FIFTEEN RATHER THAN THE USUAL TIME, TEN THIRTY.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
JANUARY 30, 1950

Transmit the following Teletype message to: BUREAU....URGENT

JUDITH COPLON, ESP-R. HEDE MASSING INTERVIEWED THIS DATE RE INSTRUCTIONS SHE HAD RECD RELATIVE TO PRECAUTIONS TO BE TAKEN TO DETECT SURVEILLANCES AND INSTRUCTIONS RE EXPLANATIONS TO BE GIVEN IN CASE PICKED UP BY POLICE. HEDE ADVISED HER SUPERIOR, LUDWIG SPENT ALMOST A YEAR, NINETEEN THIRTY TO THIRTYONE MEETING HER NEARLY ONCE A WEEK INSTRUCTING HER ON ABOVE. HE ADVISED HER NEVER TO GO DIRECTLY FROM HER RESIDENCE TO A MEETING PLACE WITHOUT CAREFULLY CHECKING FOR PERSONS FOLLOWING NOR TO EVER GO FROM A MEETING PLACE TO HER RESIDENCE WITHOUT CHECKING. HE SUGGESTED THAT SHE CHECK BY CHANGING BUSES AND MEANS OF TRANSPORTATION AND BY GOING TO DEPARTMENT STORES AND RIDING ELEVATORS AND GOING TO THE LADIES ROOM. HE TOLD HER IN EVENT SHE WAS EVER PICKED UP BY POLICE WHEN WITH ONE OF THE MALE MEMBERS OF THE APPARATUS SHE SHOULD STATE HE WAS HER LOVER. HEDE ADVISED ICA SORGE HAD GIVEN HER JUST ABOUT THE SAME INSTRUCTIONS WHEN SHE DID A FEW JOBS FOR HIM IN GERMANY DURING THE LATE NINETEEN TWENTIES. SHE STATED FRED (BORIS BAZAROV) HAD REPEATED THE INSTRUCTIONS ABOUT CHECKING PERSONS FOLLOWING EVERY FEW WEEKS WHEN SHE MET HIM DURING NINETEEN THIRTYFIVE TO THIRTY SEVEN IN THE U.S. FRED STATED HE KNEW IT WAS BOYING BUT WANTED TO IMPRESS HER WITH THE IMPORTANCE OF BEING CAREFUL. HE TOLD HER IN EVENT SHE WAS EVER PICKED UP SHE SHOULD ADVISE THE POLICE SHE WAS WITH HER LOVER. HEDE STATED THIS WAS ONE OF THE FIRST PRINCIPLES A SOVIET AGENT LEARNED. SHE COULD BE SURE THAT WHEN SHE TOLD THE POLICE THE MAN SHE WAS WITH WHEN PICKED UP WAS HER LOVER, HE TOO WOULD BE TELLING THE POLICE THE SAME STORY. SHE STATED THAT OTHER FUNDAMENTAL PRINCIPLES ASIDE FROM THOSE DEALING WITH PRECAUTIONS WERE TO BRING GIFTS TO

WJM:IM

65-14932

Approved: *Ela*

Special Agent in Charge

Sent *6 17p* MPer *cjh*

65-14932-825

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

PAGE TWO

PERSONS WHO WERE BEING DEVELOPED AND TO WRITE REPORTS ABOUT THE PEOPLE BEING DEVELOPED. HEDE STATED THAT BECAUSE OF HER EXPERIENCE SHE WAS/SELECTED TO TRAIN GERDA FRANKFURTER RE CHECKING PERSONS FOLLOWING HER. HEDE STATED EVEN THE DRUNKEN ARTHUR WALTER HAD TOLD HER IN THE EVENT POLICE EVER QUESTIONED HER RE HER RELATIONSHIP WITH HIM SHE SHOULD SAY THEY WERE LOVERS..

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

New York, New York

January 30, 1951

~~MR. SCHEIDT~~
~~MR. BELMONT~~
~~MR. WHELAN~~
~~MR. COLLIER~~
~~MR. CONNELLEY~~
~~MR. HENRY~~
~~MR. JAMES~~
FAULT
INSURANCE
PROPERTY CLERK
TRAINING UNIT

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

At 5:35 pm on January 27, 1950, in the absence of Mr. H. B. Fletcher of the Bureau, I spoke to Mr. Leo Laughlin to advise him of the progress of the trial. I advised Mr. Laughlin that a summary teletype of the proceedings would be sent to the Bureau. When court recessed at 4:00 pm, Agent Richard E. Brennan was still under cross examination by POMERANTZ. It is anticipated that on Monday morning, Brennan will resume the stand and be followed by other agents relative to the surveillance on January 14-15. Mr. Laughlin was advised that, based on a request of the defense attorneys, the surveillance log for January 15 had been submitted to the court as well as the notes of Agents Hradsky and Brennan for the same date. The court had examined these and had turned them over to the defense with the comment that they do not contradict in any way the agents' testimony. I asked Mr. Whearty and Mr. Kelley what the judge's line of thought was on this. Mr. Whearty advised confidentially that the judge had spoken to him after court today and wanted to know why he was objecting to the introduction of these notes as actually they bolstered the agents' testimony. I pointed out that the judge was setting a precedent in this trial and that there may be some notes or surveillance logs which would have information which we would not want the defense to have. Mr. Kelley pointed out that in such instance we would have to call that to the attention of the judge. Mr. Kelley also stated that the judge apparently felt that this was helping the government by turning the notes over to the defense even though his action was taken over the government's objection.

Mr. Laughlin was advised that we had mentioned to Mr. Kelley and Mr. Whearty the possibility of using HEDE MASSING and others as rebuttal witnesses along the line of my conversation with Mr. Fletcher today (1/27/50) and that the attorneys thought this would be an excellent idea if it was legally possible; that they were going to have Departmental attorneys conduct research on this over the weekend. I advised Mr. Laughlin that Mr. Kelley and Mr. Whearty felt that the trial was progressing very satisfactorily.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

67-14123-826
FBI - NEW YORK
JAN 30 1950

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

New York, New York
January 30, 1950

MR. SCHMIDT 36
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MOORE
MR. ROSS
MR. TOLSON
MR. TRACY
MR. WATSON
MR. WEAVER
MR. WHELAN
MR. WILSON
MR. WYATT
MR. ZIEGLER
NIGHT SUPERVISOR
MR. KING
MR. COOBY
MR. WALSH
MR. TRACY
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU WASHINGTON FIELD URGENT
JUDITH COPLON; ESPIONAGE - R. DURING THE MORNING SESSION OF TODAY
AGENT BRENNAN FINISHED HIS CROSS EXAMINATION. DURING THIS TIME
ASKED IF HE HAD BEEN SHOWN A PHOTOGRAPH OF GUBITCHEV UPON HIS RETURN TO THE
FBI OFFICE ON JANUARY FIFTEEN, FORTY NINE. BRENNAN ANSWERED THIS IN THE
AFFIRMATIVE AT WHICH TIME POMERANTZ ASKED THAT THE PHOTOGRAPH BE PRODUCED.
WHEN JUDGE RYAN STATED THAT HE DID NOT SEE THE RELEVANCY OF THIS, POMERANTZ
SAID THAT HE WAS GOING TO SHOW THAT THE FBI HAD KNOWLEDGE OF GUBITCHEV'S
IDENTITY PRIOR TO JANUARY FIFTEEN, THEREFORE, JUDGE RYAN ORDERED THAT THE
PHOTOGRAPH BE PRODUCED FOR THE COURT'S INSPECTION. THE GOVERNMENT ATTORNEYS
FEEL THAT JUDGE RYAN WILL TURN THE PHOTOGRAPH OVER TO THE DEFENSE. AFTER
BRENNAN LEFT THE STAND, AGENT D. F. GARDE TOOK THE STAND AND TESTIFIED
CONCERNING THE SURVEILLANCES OF JANUARY FOURTEEN AND JANUARY FIFTEEN AND
COMPLETED HIS TESTIMONY AT THREE FORTY FIVE PM. THE GOVERNMENT ATTORNEYS
ARE CONVINCED THAT THE JURY BELIEVES THAT A NEWSPAPER WAVING INCIDENT OF
JANUARY FOURTEEN WAS MERELY AN ANIMATING CONVERSATION BETWEEN THE TWO AND
NOT AS THE DEFENSE CONTENDS THAT COPLON WAS BEATING HIM WITH THE NEWSPAPER.
AFTER GARDE LEFT THE STAND, AGENT LEO J. GAUTHIER TOOK THE STAND BUT
JUDGE RYAN STATED THAT HE WOULD NOT ALLOW THE INTRODUCTION OF THE CHART
GAUTHIER HAD PREPARED ON THE GROUNDS THAT SUCH CHARTS WERE PREPARED SOLELY
UPON INTERVIEWING WITNESSES AND UPON LISTENING TO THE WITNESSES' TESTIMONY.

cc NY 65-14939

TSM:ac
65-14932 (#6)

Approved: [Signature]
Special Agent in Charge

Sent 7-35 PM Per [Signature]

65-14932-827

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

PAGE TWO

JUDGE RYAN SAID THAT HE WOULD ALLOW WITNESSES TO TRACE UP ON MAPS THE VARIOUS ROUTES TAKEN BY THE SUBJECTS ON THE VARIOUS DATES BUT WOULD ONLY ALLOW IT TO BE DONE IN THIS WAY. THE GOVERNMENT ATTORNEYS REQUESTED PERMISSION TO FILE A MEMORANDUM WITH THE COURT TOMORROW MORNING SETTING FORTH AUTHORITIES FOR THE INTRODUCTION OF SUCH TYPED CHARTS. GAUTHIER HAS BEEN REQUESTED BY THE GOVERNMENT ATTORNEYS TO REMAIN UNTIL IT IS DEFINITELY DETERMINED THAT HIS CHARTS CANNOT BE USED. THEREUPON AGENT T. J. MC ANDREWS TOOK THE STAND AND TESTIFIED CONCERNING THE FACTS OF SURVEILLANCE ON FEBRUARY EIGHTEEN. WHEN COURT WAS FINISHED AT FOUR THIRTY PM TODAY, MC ANDREWS WAS UNDERGOING CROSS EXAMINATION BY PALMER. THE ATTORNEYS HAVE REQUESTED SAPPHO MANOS, T. S. MILLER, AND R. W. ROBINSON STAND BY TO BE POSSIBLE WITNESSES FOLLOWING MC ANDREWS TOMORROW.

SCHEIDT

Approved: _____
(Special Agent in Charge)

Sent _____ M Per _____

APPARENT ATTEMPTS BY ATTORNEY POMERANTZ TO
PROBE INTO METHODS OF F. B. I.

PAGE NUMBER 1109

Question by POMERANTZ: Do you think that the fact that both of these people approached their destination, their rendezvous, by public transportation means, by subways, is consistent with — or let me withdraw "consistent" — is systematic of an espionage meeting or rendezvous? What I'm trying to tell you, so as not to lengthen my question, is wouldn't it be a little more normal for two spies arranging an important espionage meeting, to approach their meeting by means other than public conveyances— say by taxis?

Questions: Well, isn't it a fact that it is somewhat easier to tail people riding in subways than to tail people riding in taxicabs, and so forth?

Questions: Well, forgetting taxicabs, I say wouldn't it be easier to tail people riding in subways to a place of meeting than it is say riding to their place of meeting in their own automobile?

Questions: You know, don't you, that a very conventional way of throwing off a tail when you are in an automobile is to circle around a block and make sure you are not being tailed; and then proceed when you know you are free of tailing to your destination; isn't that common place?

Questions: And if GUBITCHEV and COPLON had proceeded in that manner to their point of destination being apprehensive of tailing and making sure they weren't being followed by an automobile, and circling around town to throw off any tail, that would be more difficult for the FBI to follow than a subway, wouldn't it?

65-14732-828
F. B. I.
JAN 31 1950
N. Y. C.
ROUTED TO ☐ FILE ☒ *fm*

PAGE NUMBER 1411

POMERANTZ QUESTIONING BELMONT

Question: Now, was there a Russian monitor; that is to say, a monitor who understands the Russian language, used in connection with those taps?

Question: And did that Russian monitor thereupon transpose into English what he regarded as important to the case?

PAGE NUMBER 1415

Question: Were each of these monitors Russian speaking people?

PAGE NUMBER 1717

Question by POMERANTZ of Monitor GUNN

Now one more question and I will ask his Honor before ruling to give me a moment to argue it if there is any objection. This is not the only wire-tapping job that you did for the FBI?

Question: Is it or is it not a fact that you have steadily over the past year tapped dozens of other telephones, other than in the Coplon case?

Question: And this tapping for the FBI is your main activity with the FBI?

Question by PALMER: Where did you study wire-tapping?

PAGE NUMBER 1977

Question by POMERANTZ of Agent MILLER (These questions were asked after NOVIKOV had beckoned to POMERANTZ and POMERANTZ had consulted with him.)

Question:

Mr. MILLER, did you supervise or have anything to do, without naming names, with any other wire-taps or any other monitoring of the FBI in New York?

Question:

Is it or is it not a fact that you have supervised or had something to do with hundreds of wire-tappings of hundreds of separate cases, which were being investigated by the FBI?

PAGE NUMBER 3244

Mr. KELLY:

Your Honor, when the Court inquired a moment ago if the Government had any objection to the introduction in evidence of these particular passages of Volumes 30 and 31 of the Washington trial, I said no, in the belief that they were being offered for the limited purpose for establishing, as counsel said it would establish, that the term "confidential informant" applied exclusively to wire-tapping. We contest that statement and deny that it is so. I have no objection since the Court is in a position to pass on it whenever you read it, but I want the record to show that I do not make any concession in that respect whatsoever.

Mr. POMERANTZ:

Then I ask your Honor if Mr. KELLY will concede that the confidential informant in this case, in the COPLON-GUBITCHEV case, was an employee of the Federal Bureau of Investigation. May I have such a concession here your Honor?

Mr. KELLY:

The Government will only not make such a concession, but we are not in a position to state so, and I refer counsel to the testimony given here wherein the witness said that it was not a wire-tapping.

Mr. POMERANTZ:

I did not ask whether it was a wire-tapping. I asked for a concession as to whether the confidential informant was an FBI employee, and I have not heard Mr. KELLY respond to that request. Apparently he prefers not to.

PAGE NUMBER 3310

POMERANTZ Questioning DELAVIGNE

Question: Will you tell me, what does the letter T--capital T--mean after or in connection with the phrase "Confidential Informant T-4", let us say?

Mr. POMERANTZ: May I just say for the record that the purpose for this offer is to prove that the confidential informant in this case was a wire-tap.

Question: Do you know the name of the confidential informant in this case?

Question: Do you know whether the confidential informant in this case is an employee of the FBI?

PAGE NUMBER 4399

POMERANTZ CLOSING ARGUMENT AT THE WIRE-TAP HEARING

By virtue of a final confession which appeared yesterday after six weeks of our valiant efforts to prove it, we now know that this whole investigation was touched off by a wire-tap which informed Mr. Fletcher, or gave him reason to believe, that there was espionage activities in his judgment. Now, I say that telephone tap was the "but for" cause, the sine qua non cause, of this total inquiry. Or putting it differently: Had not Mr. Fletcher heard this telephone tap or had it not been brought to his attention there would have been no inquiry here.

PAGE NUMBER 4403

And nobody, not even Mr. KELLY, will deny the proposition now, although it was denied six weeks ago, that the fountainhead, the source of all this, from which everything rages, was the illegal wiretap and no concurrent legal information. And I would like to have Mr. KELLY, when his turn comes, to dispute that proposition.

(The above argument by POMERANTZ is a patent attempt to goad the government into revealing its original source.)

New York 7, New York

January 31, 1950

Director, FBI

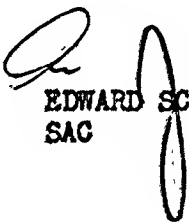
Att: Assistant Director L. B. Nichols

Re: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

Dear Sir:

In accordance with the request of Mr. John McGuire of the Bureau on January 31, 1950, there are forwarded herewith portions of the transcript of the pre-trial hearing in the above-entitled case which would appear to reflect attempts by Attorney ABRAHAM POMERANTZ to probe into the methods of the FBI.

Very truly yours,


EDWARD SCHEIDT
SAC

enc.

cc - NY 65-14939 (Gubitchev)

AHB:CTC
65-14932

50

65-14932-829

✓MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. CUNNINGHAM
MR. EUGENE
MR. KENNEDY
MR. LADD
MR. SAUL
MR. TOLSON
MR. WOLF
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO

At 5:40 pm on January 27, I received a call from a Miss WILE (ph) who stated she was calling for the Associated Press and, at the request of her office, wanted to ask me a question. She advised there was a rumor at the United Nations that Attorney POMERANTZ was asking "loaded" questions at the pre-trial hearing in this case and that these questions were being asked at the instance of GUBITCHEV for the purpose of finding out how the FBI operates. GUBITCHEV was acting on the instructions of the First Secretary of the Russian Embassy who was a high official of the Soviet Secret Police. I advised Miss WILE that the pre-trial hearing was a public hearing and such conclusions as the Associated Press desired to draw would have to be drawn from the testimony; that I was not in a position to make any comment or any reply to the question she had asked. I informed Mr. H. B. Fletcher of the Bureau of this inquiry and of my reply.

cc - 65-14939 (Gubitchev)

FBI - NEW YORK
JAN 30 1950

...MR. SCHEIDT
 ...MR. BELMONT
 ...MR. WHELAN
 ...MR. COLLIER
 ...MR. GRANVILLE
 ...MR. HUGHES
 ...MR. HENNELLY
 ...MR. LEWIS
 ...MR. DESSAULT
 ...MR. ADVISOR
 ...MR. ...
 ...MR. ...
 ...MR. ...
 ...MR. WOLL
 ...CHIEF CLERK
 ...PROPERTY CLERK
 ...TRAINING UNIT

MEMO

A. H. BELMONT
ASAC

FBI - NEW YORK
JAN 30 1950

65-14930-831

Federal Bureau of Investigation
United States Department of Justice
New York, New York

January 30, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. CONVILLE
MR. GARDNER
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WOOD
CLERK CLERK
PROPERTY CLERK
TRAINING UNIT

At 5:00 pm today, in the absence of Mr. H. B. Fletcher of the Bureau, I spoke to Mr. Leo Laughlin to advise him of the progress of the trial today. I advised him that we did not send a teletype at noon covering the morning session but that one would be forwarded to the Bureau this evening covering today's developments. I pointed out that SA T. S. Miller is pretty much tied up talking over developments and he has only a short time for lunch, making it rather difficult to prepare a teletype at the noon recess; consequently, the Bureau might want to reconsider having another agent in the court room. However, we will continue the present arrangement unless the Bureau advises us to assign another agent to cover the proceedings.

Mr. Laughlin was advised that agents talked to HEDE MASSING today and if a way can be found to have her testify she would undoubtedly be a very effective witness, because the instructions to her on the excuse she was to give in the event she was picked up were reiterated on a number of occasions and she was always to use the love angle.

I further advised Mr. Laughlin that Agent Dan Garde completed his testimony regarding the January 14 and 15 surveillances. Agent Gauthier then took the stand to introduce the charts but the judge would not permit him to testify. Judge Ryan said he would not allow the introduction of charts which had been prepared by someone listening to the testimony and interviewing witnesses. If the witnesses wanted to trade the routes themselves that would be permissible. The government attorneys are preparing a memorandum for the court showing the authority for the introduction of such charts.

Agent T. J. McAndrews took the stand and has completed his direct testimony. At the end of today's session, he was still under cross examination by PALMER. McAndrews is the first witness on the February 18th surveillance and he will resume the stand tomorrow morning, to be followed by Miss Sappho Manos, SA T. S. Miller and possibly SA R. W. Robinson.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14939-832

FBI - NEW YORK
JAN 30 1950

New York, N. Y.
January 30, 1950

On January 30, 1950, HEDE MASSING was interviewed by Special Agents John M. O'Mara and William J. McCarthy.

In regard to her training for Soviet espionage she advised that she had been trained by her superior, "LUDWIG" (IGNATZ REISS). LUDWIG spent nearly a year with her, 1930-1931, meeting her about once a week. During this time he gave her a few minor jobs. He showed her how to approach people, told her what precautions to take before and after a meet with a member of the apparatus and what explanation to give in the event she was ever picked up by the police.

With regard to the precautions to be taken before and after a meet, she was advised that she should never go directly to the meeting place from her residence without carefully checking for persons following her nor was she ever to go directly from a meeting place to her residence without carefully checking. She was instructed to check by changing buses and other means of transportation; by going to department stores and riding the elevators and by going to the ladies' room in the department stores.

LUDWIG told her that in the event she was ever picked up by the police when she was with one of the male members of the apparatus, she should state that this man was her lover.

HEDE advised that ICA SORGE had given her just about the same instructions when she did a few jobs for him in Germany during the late 1920's. HEDE stated that "FRED" (BORIS BAZAROV) repeated the instructions about checking for persons following her every few weeks during the time she was associated with him in the United States, 1935-1937. He would tell her that he knew it was boring to tell her about taking precautions but he wanted to impress upon her the importance of being careful. He would also tell her that in the event she was ever picked up at a meet she should advise the police that she was with her lover.

In explaining the relationship between herself and the male members of the apparatus with that of lovers, HEDE stated that was one of the first principles that she learned as a Soviet agent. She stated that she could be sure that if she were picked up and told the police that the man who was picked up with her was her lover, he too would be telling the police that she was his lover and that their relationship was solely a love affair. HEDE stated that other fundamental principles, aside from those dealing with precautions, were to bring gifts to persons who were being developed and to write reports about the people being developed. HEDE stated that because of her experience in the work she was selected by her superiors, "BILL" (WILLIAM GREINKE) and FRED, to instruct GERDA FRANKFURTER about checking for persons following her.

Copy given to Kelley & Healey

2/27/50

J. Miller

FBI - NEW YORK MAR 13 1950

65-14832-832A

HEDE stated that even the drunken ARTHUR WALTER who was her superior during 1933 and 1934 in the United States and who frequently became so drunk when he was in her apartment that he was unable to leave all night, had told her on a number of occasions that if she were ever questioned by the police concerning her relationship with ARTHUR WALTER, she should advise the interrogators that they were lovers.

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

----- NEW YORK, N.Y.
JAN. 31, 1950

Transmit the following Teletype message to: BUREAU AND WASHINGTON FIELD - URGENT

JUDITH COPLON, ESPIONAGE R. COURT CONVENED AT TEN THIRTY AM WITH SA MC ANDREWS CONTINUING UNDER CROSS EXAMINATION BY PALMER. POMERANTZ CROSS EXAMINED MC ANDREWS ONLY ABOUT TEN MINUTES. CHIEF CLERK SAPPHO MANOS THEN COMPLETED HER TESTIMONY BOTH UNDER DIRECT AND CROSS, FINISHING JUST BEFORE THE NOON RECESS AT TWELVE FORTY FIVE. WHEN COURT RECONVENES AT TWO PM, SA T. SCOTT MILLER WILL TAKE THE STAND TO TESTIFY ABOUT THE EVENTS OF FEBRUARY EIGHTEEN, FORTY NINE. SINCE THE COURT HAS DIRECTED THE GOVERNMENT TO PRODUCE THE PHOTOGRAPH OF GUBITCHEV WITH WHICH THE IDENTIFICATION OF GUBITCHEV WAS MADE ON FEBRUARY FIFTEEN, FORTY NINE, MR. KELLEY WILL REQUEST SA MILLER TO GIVE THE PHOTOGRAPH TO JUDGE RYAN PRIOR TO ANY DIRECT TESTIMONY. BEFORE COURT RECONVENED THIS MORNING, THE ATTORNEYS HAD ORAL ARGUMENT IN THE JUDGE'S CHAMBERS RELATIVE TO THE ADMISSIBILITY OF THE CHARTS PREPARED BY SA LEO J. GAUTHIER. THE JUDGE RULED AGAINST THEIR GOING INTO EVIDENCE BUT STATED IT WOULD BE PERFECTLY PROPER FOR THE WITNESSES TO TRACE OFF THE ROUTES FOLLOWED BY THE DEFENDANTS ON LARGE BLANK MAPS. SA GAUTHIER IS PRESENTLY ARRANGING TO HAVE A NUMBER OF THESE MADE FOR THIS PURPOSE.

SCHEIDT

TSM:MFB
65-14932
CC: 65-14939

RRR
Approved: E. J. [Signature]

Special Agent in Charge

Sent 513 M

Per [Signature]

65-14932-833

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

New York, New York
January 31, 1950

MR. SCHERER-86
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVITS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUCKER
MR. WALSH
MR. WATSON
MR. YERGEN
MR. ZUCKER
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU, WFO

JUDITH COPLON, ESPIONAGE - R. WHEN COURT RECONVENED AT TWO P.M. S. MILLER TOOK THE STAND AND BEFORE ANY TESTIMONY WHATEVER WAS GIVEN MR. KELLEY HETHER MILLER HEARD THE JUDGE DEMAND THE PRODUCTION OF THE PHOTOGRAPH WHICH HAD BEEN USED ON JANUARY FIFTEEN, NINETEEN FORTY NINE, TO IDENTIFY GUBITCHEV. THIS PHOTOGRAPH WAS TURNED OVER TO THE JUDGE WHO EXAMINED IT AND STATED THAT HE SAW NO REASON WHY THE DEFENSE SHOULD NOT HAVE THE PHOTOGRAPH MADE AVAILABLE. THIS WAS DONE AND POMERANTZ IMMEDIATELY WENT INTO A WHISPERING DISCUSSION WITH NOVIKOV AT GUBITCHEV'S COUNSEL TABLE. MILLER THEN TESTIFIED CONCERNING ACTIVITIES ON JANUARY FOURTEEN AND WITH A RED AND BLUE CRAYON TRACED THE ROUTES TAKEN BY COPLON AND GUBITCHEV. THIS WAS DONE IN LIEU OF THE CHARTS PREPARED BY AGENT GAUTHIER WHICH HAD BEEN EXCLUDED BY THE COURT. USING TWO CHARTS, MILLER THEN TRACED THE ROUTE FOLLOWED BY THE DEFENDENTS ON FEBRUARY EIGHTEEN BREAKING THE CHARTS DOWN INTO THE ACTIVITIES AROUND SEVEN P.M. AND THE SUBSEQUENT MEETING AT EIGHT P.M. BETWEEN GUBITCHEV AND COPLON. PALMER CROSSED EXAMINED ABOUT BOTH THE FOURTEENTH AND EIGHTEENTH AND ASKED HIS USUAL QUESTIONS WHETHER THE AGENT ACTUALLY SAW ANYTHING PASSED FROM COPLON TO GUBITCHEV OR VICE VERSA. WHEN THE ANSWER NO WAS GIVEN PALMER THEN ASKED THE AGENT IF HE SAW MISS COPLON ATTEMPT TO GIVE ANYTHING TO GUBITCHEV ON ANY OCCASION AND THE ANSWER WAS EXCEPT FOR THE CIRCUMSTANCES SURROUNDING THE BRIEF MEETING ON FEBRUARY EIGHTEEN, THE ANSWER WOULD BE NO. PALMER OBJECTED TO THIS ANSWER BUT THE JUDGE STATED THAT THE ANSWER WAS VERY PROPER AND

cc 65-14939

TSM:MM (16)
65-14932

Approved: *[Signature]*
Special Agent in Charge

Sent *10:00* M

Per *[Signature]*
in

65-14932-834

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

PAGE TWO

65-14932

Transmit the following Teletype message to:

THAT IT WAS UP TO THE JURY TO DETERMINE WHETHER AN ATTEMPT HAD BEEN MADE. THE MAJORITY OF PALMER'S CROSS EXAMINATION OF MILLER WAS CONCERNED WITH THE WIRE TAPPING ACTIVITY BY THE FBI IN CONNECTION WITH THIS CASE. THE JUDGE DID NOT ALLOW HIM TO ASK MILLER WHETHER HE HAD HEARD ABOUT WIRE TAPS IN WASHINGTON PRIOR TO JANUARY FOURTEEN. MILLER ADVISED PALMER THAT HE HAD NO PERSONAL KNOWLEDGE OF THE FACT THAT COPLON'S TELEPHONE HAD BEEN TAPPED IN NY BUT THAT HE HAD REASON TO BELIEVE INASMUCH AS HE HAD REVIEWED SUMMARIES OF WHAT APPEARED TO BE TO HIM INTERCEPTED TELEPHONE CONVERSATIONS. PALMER WAS THEN ALLOWED TO CROSS EXAMINE MILLER RELATIVE TO THE DESTRUCTION OF DISCS AND THE MONITOR'S NOTES. PALMER THEN WANTED TO KNOW IF AGENT MILLER HAD BEEN PRESENT DURING THE TRIAL AT WASHINGTON WHEN AGENT BRENNAN WAS ASKED WHETHER HE KNEW WHETHER THE TELEPHONE OF COPLON WAS TAPPED. MILLER COULD NOT SPECIFICALLY RECALL THE QUESTION ASKED AGENT BRENNAN AND AFTER SEVERAL MORE SPECIFIC QUESTIONS OF THIS TYPE THE JUDGE TOOK OVER THE QUESTIONING AND ASKED AGENT MILLER WHETHER HE WAS PRESENT IN COURT WHEN QUESTIONS ABOUT WIRE TAPPING WERE PUT TO WITNESSES. WHEN THE REPLY WAS IN THE AFFIRMATIVE THE JUDGE WANTED TO KNOW WHETHER MILLER WAS A MEMBER OF THE BAR AND WHAT STATE. MILLER SAID HE WAS A MEMBER OF THE TEXAS BAR. AT THIS POINT THE JUDGE ASKED MILLER WHETHER HE FELT IT WAS HIS DUTY UPON HEARING THIS INQUIRY INTO WIRE TAPPING WHETHER HE FELT IT WAS HIS DUTY AS A MEMBER OF THE BAR TO INFORM MR. KELLEY AND MR. WHEARTY OF THE FACT THAT MILLER HAD REVIEWED EXCERPTS. THE AGENT REPLIED THAT HE DID NOT FEEL IT WAS HIS DUTY. JUDGE RYAN DID NOT ASK AGENT MILLER TO EXPLAIN WHY HE DID NOT FEEL IT WAS HIS DUTY AS JUDGE RYAN HAD DONE AT THE PRE TRIAL HEARING. PALMER WANTED TO KNOW WHETHER AGENT MILLER WAS FAMILIAR WITH A

Approved: _____

Sent _____ M Per _____

Special Agent in Charge

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

PAGE THREE

65-14932

Transmit the following Teletype message to:

PROVISION OF THE FEDERAL COMMUNICATIONS ACT WHICH MADE IT A VIOLATION OF LAW TO TAP TELEPHONES AND TO DIVULGE INFORMATION FROM SUCH TAPS. MILLER STATED THAT HE WAS FAMILIAR WITH THE PROVISION IN THE FEDERAL COMMUNICATIONS ACT AGAINST WIRE TAPPING AND DIVULGENCE. PALMER WANTED TO KNOW IF AGENT MILLER HAD SEEN SUMMARIES OF CONVERSATIONS BETWEEN COPLON AND PALMER PRIOR TO THE WASHINGTON TRIAL. THIS WAS ANSWERED IN THE AFFIRMATIVE. ALL OF PALMER'S QUESTIONS PERTAINING TO WHETHER THE AGENT HAD ADVANCE INFORMATION THROUGH THE TAPS OF COPLON'S PLANS TO COME TO NY WERE OBJECTED TO BY EITHER THE GOVERNMENT ATTORNEYS OR BY THE COURT AND MILLER DID NOT HAVE TO ANSWER ANY QUESTIONS OF THIS NATURE. AFTER APPROXIMATELY FORTY FIVE MINUTES OF CROSS EXAMINATION CONCERNING THE WIRE TAPS JUDGE RYAN GOT VERY IMPATIENT WITH PALMER AND STATED HE WAS NOT GOING TO ALLOW PALMER TO GO ANY FURTHER WITH SUCH TYPE OF CROSS EXAMINATION INASMUCH AS IT WAS IMPROPER EXCEPT TO THE EXTENT OF WHETHER OR NOT IT WOULD AFFECT THE CREDIBILITY OF THE WITNESS. PALMER THEN TURNED THE CROSS EXAMINATION OVER TO POMERANTZ, AND BEFORE ANY CROSS EXAMINATION POMERANTZ REQUESTED THAT JUDGE RYAN STRIKE FROM THE RECORD ALL COLLOQUY AND TESTIMONY RELATIVE TO THE ARM EPISODE OF FEBRUARY EIGHTEEN BEING AN ATTEMPT TO COMMIT ESPIONAGE ON THE GROUNDS THAT INDICTMENT DID NOT SO ALLEGE. JUDGE RYAN STATED THAT HE WAS DENYING SUCH MOTION AT THIS TIME. POMERANTZ WANTED TO KNOW IF HE WOULD CONSIDER THE MOTION AT A DIFFERENT TIME BUT JUDGE RYAN REFUSED TO ANSWER POMERANTZ' QUESTION. POMERANTZ' CROSS EXAMINATION OF MILLER PERTAINING TO THE FACTS OF THE JANUARY FOURTEEN SURVEILLANCE WAS RESTRICTED MAINLY TO THE CHANCE OR CHANCES THAT COPLON AND GUBITCHEV HAD OF SEEING MILLER'S FACE AND EMPHASIZED

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

PAGE FOUR

65-14932

Transmit the following Teletype message to:

THE SAME THING RELATIVE TO THE FEBRUARY EIGHTEEN SURVEILLANCE. WHEN COURT
ADJOURNED FOR THE DAY AT FOUR THIRTY P.M. POMERANTZ HAD JUST COMMENCED CROSS
EXAMINATION OF MILLER PERTAINING TO THE ARM EPISODE OF FEBRUARY EIGHTEEN. MILLER
IS EXPECTED TO COMPLETE HIS CROSS EXAMINATION TOMORROW AND WILL BE FOLLOWED
BY AGENTS ROGER W. ROBINSON AND JOHN F. MALLEY.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

NEW YORK, N. Y.
JANUARY 30, 1960

BUREAU...URGENT

ARTHUR ALEXANDROVICH ADAMS, WAS, ISR. ACCORDING TO BUREAU INSTRUCTIONS, NYO IS TO SUBMIT SUMMARY REPT IN INST AND RELATED CASES BY MARCH ONE, NINETEEN FIFTY. SUCH REPTS ARE TO BE PREPARED BY SA F. X. PLANT. UNLESS BUREAU ADVISES TO CONTRARY SUBMISSION OF SUCH REPTS WILL BE POSTPONED AND NYO PLANS TO USE SA PLANT TO REVIEW AND ANALYZE THE OPENING ARGUMENTS OF THE DEFENSE ATTORNEYS AND THE DAILY TRANSCRIPT OF THE COPLON-GUBITCHEV TRIAL. THE PLAN OF THE NYO TO ANALYZE AND REVIEW THE ABOVE WAS DISCUSSED IN TELEPHONIC CONVERSATION BETWEEN MR. H. B. FLETCHER OF THE BUREAU AND ASAC BELMONT OF THE NYO ON JANUARY TWENTY SEVEN LAST.

FXP:IM

SCHREIDT

cc - 100-63983
cc - 65-14932 ✓

65-14932-835

Federal Bureau of Investigation
United States Department of Justice
New York, New York

January 31, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUNTER
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WOOD
MR. ZIEGLER
MR. CLEGG
MR. GLAVIN
MR. HARBO
MR. MOHR
MR. QUINN
MR. TOLSON
MR. WINTERROWD
MR. BELMONT
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WOOD
MR. ZIEGLER
MR. CLEGG
MR. GLAVIN
MR. HARBO
MR. MOHR
MR. QUINN
MR. TOLSON
MR. WINTERROWD

At the noon recess on January 31, I advised Mr. Leo Laughlin of the Bureau that SA McAndrews and Miss Sappho Manos had completed their testimony relative to the surveillance of February 18th. SA Miller will take the stand after the noon recess and will furnish the photograph of GUBITCHEV to Judge Ryan, in accordance with the request of the court. The government attorneys presented their memorandum in favor of introducing the charts prepared by SA Gauthier. However, the judge ruled that the charts could not be admitted as prepared by Gauthier; that he felt this might be reversible error in view of the fact that Gauthier had not participated in the surveillances. The judge advised that the witnesses could mark on other maps the course of the surveillances and he is requesting the witnesses to do so. Additional blank charts are being prepared for this purpose.

On the early afternoon of January 31, I spoke to Mr. John McGuire of the Bureau to advise him that reporter DAVE SNELL of the World Telegram and Sun had called to state that his office had requested a photograph of Miss Manos who had completed her testimony. I advised Mr. McGuire that we could arrange for Miss Manos to walk out of the front of the building when going to lunch and the photographers could catch her as she was coming out; that I saw no objection to this and if we did not accede we would have to have her dodging the photographers. I advised that JUDITH COPLON and PALMER are going to the utmost lengths to get publicity and to get COPLON's picture in the paper and it might be a good idea to offset her pictures with a little FBI feminine pulchritude. Mr. McGuire called me back to advise that he saw no objection to this, particularly as we would have to be dodging the photographers. Subsequently, Miss Manos did leave the building and was photographed.

On the afternoon of January 31, I advised Mr. Fletcher that we are continuing our plans to attack this case aggressively; that agents are reviewing the transcript and have come up with several leads. I advised that we will send teletypes to the Bureau on these various leads and the action taken by us concerning them in order that the Bureau will be fully advised of developments along this line. In view of the fact that this information should be available to the government attorneys at once, there will not be time to prepare investigative reports. Therefore, we are preparing blind memoranda setting forth the results of our activity and furnishing these blind memoranda to the government attorneys. Every day or so, as this

cc - 65-14939 (Gubitchev)
AHB:CTC
65-14932

65-14932-836
FBI - NEW YORK
JAN 31 1950

MEMO

NY 65-14932

January 31, 1950

information is accumulated, we will send copies of the memoranda to the Bureau in order that the Bureau may have full information as to what we have given to the government attorneys. Mr. Fletcher advised this was satisfactory.

Along this same line, I advised Mr. Fletcher that we had interviewed HEDE MASSING and that she had furnished information of value as set forth in our teletype to the Bureau of January 30. We have a blind memorandum concerning this but want clearance from the Bureau before we give it to the government attorneys. Mr. Fletcher advised that we should hold off until the Department had made up its mind as to whether her testimony would be admissible. He said that the Bureau would notify us as soon as this was learned. I advised him we would hold off also on any interview with Mrs. SWITZ until we had learned what the Department's decision was.

A. H. BELMONT
ASAC

New York 7, N. Y.
January 31, 1950

In her first trial in Washington, D. C., COPLON testified to the following:

She met GUBITCHEV for the first time on the Saturday of Labor Day week-end, 1948 (September 4, 1948) at the Museum of Modern Art in New York City. She was looking at exhibits of cubist art when she first noticed GUBITCHEV. She then discussed the exhibit with GUBITCHEV. (Pp. 6917 et seq. of transcribed testimony).

COPLON said she went to the Museum in the early afternoon, sometime between 1:00 P.M. and 3:30 P.M. after she had been shopping that morning. She stated that she and GUBITCHEV left the Museum about 4:30 P.M. or 5:00 P.M. (Pp. 7414 - 7417 of transcribed testimony).

On January 30, 1950, the writer interviewed Miss DOROTHY H. DUDLEY, Registrar at the Museum of Modern Art, 11 West 53rd Street, New York City. She stated that on September 4, 1948, the Museum was open to the public between 12:00 Noon and 7:00 P.M. Miss DUDLEY advised that the Museum does not issue pamphlets, as many museums do, indicating the floor plan and location of exhibits with descriptive material relative to the exhibits and artists. The Museum has for sale a catalogue of the Museum's own collection which describes the exhibits, contains photographs thereof and contains items of interest concerning the various artists.

Miss DUDLEY advised that her schedules reflect that the following were on exhibit on September 4, 1948:

1. A collection of paintings by PIERRE BONNARD which were exhibited from May 10, 1948 to September 8, 1948. This exhibit was located on the third floor of the Museum and occupied the entire south side of the floor.

A catalogue of the various works by BONNARD is on sale at the Museum.

2. The Museum's own collection of various types of art. This is a permanent exhibit and is shown on the third floor sculpture gallery and the Museum garden where works of sculpture are displayed; and on the second floor where oil paintings, drawings and water colors are displayed. This occupies almost the entire second floor except a portion

65-14932-837

FBI - NEW YORK
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of the northwest corner. The second floor exhibits include a section on cubist art located at the east side, center of the second floor. The cubist art is part of the Museum's permanent exhibit.

3. War Veterans' Work - This exhibit contained all types of art and was on exhibition from September 1, 1948 through October 10, 1948, and was located in part of the northwest gallery on the second floor.
4. New York Private Collection - This consisted of various paintings selected from private collections and was situated on the first floor in the northeast gallery. It was on exhibition from July 20, 1948, through September 12, 1948.
5. Photographic Exhibit - This was a display of 50 photographs by 50 photographers and was located in the northwest gallery on the first floor. It was shown from July 27, 1948 through September 26, 1948.
6. Loren Mac Iver mural paintings were on exhibition from July 6, 1948 through September 28, 1948 and were situated in the auditorium alcove gallery downstairs below the street level.
7. Various portraits and prints were exhibited in the auditorium gallery from July 1, 1948 through September 5, 1948.
8. Motion Pictures - The Museum shows a motion picture in the auditorium. The picture changes every seven days. The picture which was shown on September 4, 1948, was the sound film, "Morocco" with Marlene Dietrich and Gary Cooper. It was shown from August 30, 1948 through September 5, 1948.

It is to be noted that on the second floor adjacent to the cubist exhibit there is a large mural by PICASSO which is done in black and white oils. The title of this mural is "Guernica" and was painted by PICASSO in commemoration of the bombing of the Spanish town of Guernica by the insurgent forces during the Spanish Civil War. Miss WICKERT advised that this mural has been on exhibition since prior to September 4, 1948.

New York 7, N. Y.
February 1, 1950

Reference trial transcript re Judith Coplon.

COPLOW testified that on September 4, 1948, when she went to the Museum of Modern Art she was wearing a light summer dress, indicating a warm summer day.

She testified that on September 25th she went rowing in Central Park lake with GURITCHEV, then sat on the grass with him until about 6:00 P.M.

The United States Weather Bureau, New York City, advised that their records show the weather to be as follows for those days:

9/4/48 Mostly clear and warm. No rain. Temperature 55 to 80°

9/25/48 Partly cloudy No rain. Temperature 55 to 71°

65-14932-838

FBI - NEW YORK
FEB 1 1950
H8m

Director, FBI

February 1, 1950

SAC, New York

JUDITH COPLON
ESPIONAGE - R

Reurtele 2/1/50.

For the Bureau's information, there are being forwarded herewith the original and two copies of two blind memoranda covering investigation in New York City on two points brought out during the testimony of the subject COPLON in the first trial in Washington, D. C.

Memorandum #1 covers investigation conducted by SA John M. Stolsenthaler at the Museum of Modern Art, New York City. Memorandum #2 covers inquiries made at the U.S. Weather Bureau, New York City, by SA Raymond P. Wirth.

The aforementioned material will be set forth in the next investigative report.

Enc-6

FXP:IM
65-14932



65-14932-839 2

Director, FBI

February 1, 1950

SAC, New York

Ch J
JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

As the Bureau is aware, during the trial of the above case in New York City on January 31, 1950, Judge Sylvester J. Ryan ruled that the special charts made up by SA Leo Gauthier of the Bureau reflecting the details of the Bureau's surveillances of subjects COPLON and GUBITCHEV on January 14, February 18 and March 4, 1949, could not be utilized during the trial. Judge Ryan ruled that Agent Gauthier could not testify from the charts nor could the charts be utilized by agents testifying in court to reflect the course of the surveillances.

Inasmuch as these charts were used in the Washington trial of JUDITH COPLON and comparable charts have been used in other trials in federal courts, it is felt that the Bureau would desire to have the reasoning of Judge Ryan on this issue as reflected by the official transcript. The pertinent discussion between Judge Ryan and the government and defense attorneys took place in Judge Ryan's chambers on the morning of January 31. Photostatic copies are forwarded herewith for the Bureau's attention. On the previous day, Judge Ryan had indicated, when SA Gauthier took the stand for the purpose of introducing these charts, that he would not allow their introduction. The pertinent portions of the transcript reflecting the appearance of Agent Gauthier are forwarded herewith. As a result, government attorneys Kelley and Whearty prepared a memorandum showing the precedents for the use of these charts. A copy of this memorandum is also forwarded herewith for the Bureau's attention.

The Bureau may be interested to know that, in addition to the information reflected in the transcript, attorney Kelley has advised us that Judge Ryan informed him that the introduction of such charts was a matter lying within the discretion of the court and he was ruling them out because it was his personal belief that their introduction would be grounds for a reversible error. Mr. Kelley and Mr. Whearty further advised they had strongly objected to the ruling of Judge Ryan in this matter as they felt that the charts should be admitted. However, it was their opinion that Judge Ryan felt that by allowing Agent Gauthier to testify from these charts, which are striking in appearance, color would be lent to the testimony and in effect Gauthier would be summing up the testimony of the surveilling agents, which lies within the province of the jury.

As the Bureau will note from the transcript, Judge Ryan stated that he would allow the depicting of the surveillance routes by having the surveilling agents draw in the routes following their testimony. This procedure is being followed. Duplicate maps were prepared by this office

encs.-6

cc - NY 65-14939 (Gubitchev)

AHB:CTC

65-14932

65-14932-840

Letter to Director
NY 65-14932

showing the scenes of the meetings and as the agents testify they are drawing in the routes reflecting the movements of the subjects on the pertinent dates by utilizing red crayon for COPLON and blue crayon for GUBITCHEV.

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
FEBRUARY 1, 1950

Transmit the following Teletype message to:

BUREAU....URGENT

JUDITH COPLON, ESP-R. IN FIRST TRIAL SUBJECT COPLON TESTIFIED AS TO FIRST MEETING WITH GUBITCHEV ON SATURDAY OF LABOR DAY WEEKEND, NINETEEN FORTYEIGHT AT MUSEUM OF MODERN ART, NYC. FOR INFO, INVESTIGATION AT NAMED MUSEUM REFLECTS IT WAS OPEN DURING TIME AND ON DATE NAMED BY COPLON. SUBJECT ALSO TESTIFIED SHE WAS LOOKING AT EXHIBIT OF CUBIST ART WHEN SHE FIRST NOTICED GUBITCHEV. INVESTIGATION DISCLOSES INST MUSEUM HAD PERMANENT EXHIBIT OF CUBIST ART AT TIME INDICATED BY SUBJECT. COPLON FURTHER TESTIFIED FIRST TRIAL AS TO CLOTHING SHE WORE DURING VISIT TO THE MUSEUM AND ALSO AS TO HER ACTIVITIES ON SEPTEMBER TWENTYFIFTH, FORTYEIGHT WHEN SHE WENT ROWING WITH GUBITCHEV IN CENTRAL PARK, NYC. INQUIRIES OF U.S. WEATHER BUREAU, NYC, INDICATE WEATHER CONDITIONS IN NYC COINCIDED WITH TESTIMONY PROVIDED BY COPLON AS TO THESE TWO INCIDENTS. COPIES OF BLIND MEMOS COVERING AFOREMENTIONED INVESTIGATIONS BEING FORWARDED BUREAU THIS DAY BY LETTER.

SCHEIDT

EXP:IM
65-14932
cc-65-14939

Approved: _____

Special Agent in Charge

Sent 305 MPer ej

65-14932-841

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

----- New York, New York
February 1, 1950

Transmit the following Teletype message to: BUREAU, WFO

URGENT

JUDITH COPLON, ESPIONAGE - R. WHEN COURT RECONVENED AT TWO P.M. TODAY, AGENT MILLER WAS RECALLED TO THE STAND BY POMERANTZ IN ORDER TO CROSS EXAMINE HIM CONCERNING THE SURVEILLANCE LOG OF FEBRUARY EIGHTEEN, NINETEEN FORTY NINE. AFTER THIRTY MINUTES OF CROSS EXAMINATION ON THIS BY BOTH POMERANTZ AND PALMER, J. ROBINSON WAS CALLED TO THE STAND AND TESTIFIED CONCERNING THE SURVEILLANCE OF JANUARY FOURTEEN, FIFTEEN AND FEBRUARY EIGHTEEN, NINETEEN FORTY NINE. PALMER COMPLETED HIS CROSS EXAMINATION OF ROBINSON AND POMERANTZ WAS CROSS EXAMINING ROBINSON WHEN COURT RECESSED FOR THE DAY. COURT WILL RECONVENE AT TEN THIRTY A.M. TOMORROW. J. ROBINSON WILL BE FOLLOWED ON THE STAND BY AGENT JOHN F. MALLEY.

MR. SCHEIDT
MR. BELMONT
SCHEIDT BELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

cc NY 65-14939

TSM:MM (#6)
65-14932

Approved: CLAR

Special Agent in Charge

Sent 9:05 PM

Per RECT

65-14932-842

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 1, 1950

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLEMAN
MR. GUNN
MR. EYER
MR. TERRY
MR. SAULT
MR. TISOR
MR. CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

At 5:00 pm on January 31, I called Mr. H. B. Fletcher of the Bureau to advise him of the progress of the trial in instant case. I advised him that SA T. S. Miller was still on the stand when court adjourned at 4:30 pm. Miller covered the January 14th surveillance and was cross-examined by both PALMER and POMERANTZ. He also covered the surveillance of February 18th and was cross-examined by PALMER, and when court reconvenes on the morning of February 1, POMERANTZ will continue his cross examination of Miller. Mr. Fletcher was further advised that SA Miller turned in the picture of GUBITCHEV which was avidly seized upon by POMERANTZ and NOVIKOV but POMERANTZ has not questioned him concerning the picture nor where it came from. Miller has not testified concerning the surveillance of January 15 which is not a part of the government's case.

I advised Mr. Fletcher that PALMER devoted about 45 minutes of cross-examination on the question of wire tapping and the destruction of records. The judge stated he was allowing these questions merely in order that the jury could judge the credibility of the witness and at one point the judge took the questioning in his own hands and asked Miller if he had been present during the trial in Washington, whether he had heard the various questions by PALMER of witnesses on wire tapping, and whether he felt it his duty, as a member of the bar, to advise the government attorneys of the wire tap. Miller answered in the negative and the judge did not press the point any further. PALMER asked Miller whether he had not asked him in Washington if he knew of the wire tap and Miller answered that PALMER had not asked him. I pointed out to Mr. Fletcher that in questioning Miller, the judge did not state that he would allow Miller to explain why he had not felt it his duty to advise the government attorneys of the wire tap. PALMER attempted to ask Miller whether he had any advance knowledge of COPLON's trips to New York from the wire tap but the judge sustained objection to this question.

At 5:35 pm on January 31, I spoke to Mr. Fletcher to advise him that I had spoken to Mr. Whearty regarding the trial and that the latter thought it went very well today and he is very optimistic. I asked Mr. Whearty why the judge had reiterated his questioning of Miller on the subject of his knowledge of wire tapping and why Miller had not brought it to the attention of the government attorneys in Washington. Whearty explained that

cc - 65-14939 (Gubitchev)
AHB:CTC
65-14932

FBI - NEW YORK
1 1950

65-14932-843

MEMO

NY 65-14932

February 1, 1950

the judge wanted to carry the ball away from PALMER and reduce the matter to the simplest terms. I mentioned to Mr. Fletcher that, as he probably recalls from his own experience in testifying at the pre-trial hearing, the judge has a habit of doing that. Mr. Fletcher was advised that, according to Mr. Whearty, Miller handled himself very well both on that issue and under cross-examination by PALMER on the subject of wire tapping, and Mr. Whearty is confident that Miller lost no stature whatsoever in the eyes of the jury, that his credibility was not affected, and that, in fact, he gained stature by his method of handling the questions.

A. H. BELMONT
ASAC

February 1, 1950

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

FBI - NEW YORK
FEB 1 1950

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 2, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. ROSEN
MR. LADD
MR. CLEGG
MR. GLAVIN
MR. HARBO
MR. MOHR
MR. TRACY
MR. Egan
MR. Gurnea
MR. Hendon
MR. Pennington
MR. Quinn
MR. Nease
MR. Gandy
PROPERTY CLERK
TRAINING UNIT

At 10:30 am on February 2, in the absence of Mr. H. B. Fletcher, I spoke to Mr. Leo Laughlin at the Bureau to advise him that we thought the Bureau would be interested in a discussion which took place in Judge Ryan's chambers after the morning session of February 1 between Judge Ryan, the defense counsel, PALMER and POMERANTZ, and government counsel, Whearty and Kelley. The discussion followed Judge Ryan's ruling that POMERANTZ could not pursue cross-examination of Agent Miller further along the lines of how the government identified GUBITCHEV on January 15th.

Mr. Kelley advised us this morning that when POMERANTZ entered the judge's chambers, he had two clippings, one from the "New York Mirror", and the other from the "Daily Worker" concerning himself. The former listed him as affiliated with various Communist fronts and the latter attacked him because of the discharge of 40 employees from a recording company of which he is a majority stockholder. POMERANTZ was reviewing these clippings and in a comradely way was saying "What can I do? In one they call me a Communist and in the other they attack me." Mr. Kelley said no one smiled and everyone looked directly at POMERANTZ, whereupon he dropped the subject. The off-the-record discussion then went into POMERANTZ' desire to further cross-examine Miller. It proceeded off the record until POMERANTZ indicated that he did not care about further cross examination but his "mentor" desired the further cross-examination. Judge Ryan then stated in effect: "God damn it. Your mentor is not going to tell me how to run this court and I'm not going to allow this trial to be a sounding board for Russian propaganda." At this point, the discussion went on the record.

I then read to Mr. Laughlin's secretary the transcript of the proceedings in the judge's chambers, starting on page 1157 and running through page 1165. A photostatic copy of this transcript is attached hereto.

Mr. Laughlin was advised that government attorney Kelley was somewhat concerned over the possibility that Judge Ryan's ruling that POMERANTZ could not further cross-examine Miller relative to January 15 might result in reversible error. Kelley thought it might be desirable to so indicate to the judge but was reluctant to do so in view of the Bureau's position that

cc - 65-14939 (Gubitchev)
AHB:CTC
65-14932
att.

65-14932-845

FBI - NEW YORK
FEB 2 1950

MEMO

NY 65-14932

February 2, 1950

that we did not want the source of the photograph divulged. Mr. Laughlin was advised that I had advised Mr. Kelley that it was up to him and Mr. Whearty as to whether they should reopen this subject; that we had previously made it plain that while we would like to protect the source of these photographs, if it became necessary to reveal the source, it would have to be done in the interest of the case. Mr. Kelley was advised that the Bureau would not be put in the position of being responsible for any reversible error and he should proceed to do what he felt was best for the case. Mr. Kelley then indicated that he and Mr. Whearty would consult with Mr. Saypol and if Mr. Saypol felt that his worry was unnecessary, they would forget it but if Mr. Saypol felt there was a possible reversible error, they would suggest that Mr. Saypol take appropriate steps relative thereto. In such event, the issue would be reopened through a new witness, that is one of the agents who was active in the case on January 15. This would allow the court to permit further cross-examination and possibly recall Miller for this purpose:

Mr. Laughlin advised our position sounded proper to him.

A. H. BELMONT
ASAC

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

New York, New York
February 2, 1950

Transmit the following Teletype message to: BUREAU WASHINGTON FIELD URGENT
JUDITH COPLON; ESPIONAGE - R. CROSS EXAMINATION OF ROGER W. ROBINSON CONTINUED
THROUGHOUT TODAY UNTIL FOUR FIFTEEN PM WHEN COURT ADJOURNED FOR THE DAY.
DURING MORNING RECESS, POMERANTZ IN CHAMBERS AGAIN RENEWED HIS REQUEST TO
CROSS EXAMINE T. S. MILLER CONCERNING THE MANNER IN WHICH GUBITCHEV WAS
IDENTIFIED INCLUDING DETAILS ABOUT PHOTOGRAPH OF GUBITCHEV. COURT AGAIN
DENIED POMERANTZ RIGHT TO CROSS EXAMINE RE THIS. DURING LATTER PART OF MORNING
SESSION, POMERANTZ DREW SOME VERY STERN REMARKS FROM JUDGE RYAN CONCERNING
HIS FACIAL CHARACTERISTICS AND DEMEANOR UPON OBJECTIONS TO HIS QUESTIONS
BEING SUSTAINED. ALSO AT ONE TIME JUDGE RYAN COMMENTED ON THE FACT THAT
AGENT ROBINSON APPEARED TO BE AN HONEST WITNESS, ADDING THAT THAT, OF COURSE,
WAS FOR THE JURY TO DECIDE. IMMEDIATELY AFTER NOON RECESS, POMERANTZ MADE
MOTIONS FOR MISTRIAL ON GROUNDS OF JUDGE'S REMARKS ABOUT POMERANTZ'S BEHAVIOUR
AND THE JUDGE'S REMARKS ABOUT THE CREDITABILITY OF ROBINSON'S WITNESS.
BOTH OF THESE MOTIONS WERE DENIED. GOVERNMENT ATTORNEYS DO NOT CONSIDER THERE
IS ANY MERIT WHATEVER TO EITHER MOTION FOR MISTRIAL. SA JOHN F. MALLEY WILL
TAKE THE STAND TOMORROW AT TEN FIFTEEN AM AND WILL BE FOLLOWED BY AGT.
RICHARD T. HRADSKY. COURT WILL ADJOURN AT FOUR PM TOMORROW

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. GRANVILLE
MR. HUGHES
MR. LITVIN
MR. MALLEY
MR. ROSEN
MR. TOLSON
MR. WATSON
MR. WEAVER
MR. WELSH
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
SCHEIDT TRAINING UNIT

CC NY 65-14939

TSM:ac
65-14932 (#6)

Approved: Elmer
Special Agent in Charge

Sent 9:15 P M

Per REAR em

65-14932-846

San Francisco 2, California
January 31, 1950

~~CONFIDENTIAL~~

AIR MAIL

Director, FBI

Re: JUDITH COPLON
ESPIONAGE - R

Dear Sir:

Information has been received that SIDNEY WALTON, a radio news commentator, has a fifteen-minute radio news program heard over radio station KPRC of San Francisco (Don Lee Broadcast system) at 10:15 to 10:30 AM each Sunday, which program is sponsored by the Doubleday Publishing Company, Garden City, New York.

SIDNEY WALTON on his 1-22-50 broadcast stated in effect that the FBI did not secure their information regarding the subject from wiretapping, claiming that he had it exclusively that the Army secured some captured Gestapo documents in Germany. After difficulty in decoding the documents, G-2 discovered that JUDITH COPLON was a spy.

WALTON's style of commenting was described as similar to that of radio commentators JIMMIE FIDLER, LOUELLA PARSONS and WALTER WINCHELL, the program purportedly containing scope and exclusive comments.

Through a telephone call to radio station KPRC, San Francisco, it was determined that SIDNEY WALTON has a radio program released through radio station KHW of Hollywood, California, which is also carried over station KPRC of San Francisco each Sunday from 10:15 to 10:30 AM. This program is sponsored by the Doubleday Publishing Company. The Information Clerk at KPRC was unable to state if SIDNEY WALTON's broadcasts emanated from Hollywood or if the program originated in the East.

As it is not known if the Bureau, New York or the Los Angeles Offices are aware of the above facts, this information is being submitted due to the fact that the Bureau may desire a complete transcript of the 1-22-50 program.

Search _____
Serialized _____
Indexed _____
Filed _____

SFF:mah
65-3957

cc: New York City A.M.
Los Angeles

Very truly yours,

HARRY M. KIMBALL
SAC

MR. SCHMIDT
MR. BELMONT
MR. WHELAN
MR. COSMID
MR. DUNN

BY _____
SAULT
ROR
PROPERTY CLERK
TRAINING UNIT

*Bureau was
previously advised*

65-14532-847

JAN 31 1950

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK
FEBRUARY 19 1950

MR. SCHEIDT
MR. BELMONT
MR. WHELAN-36
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. NEVYS
MR. MATCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WOHLE
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU, WASHINGTON
JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. SA T. S. MILLER
HIS TESTIMONY UNDER CROSS EXAMINATION AT TWELVE FORTY FIVE PM TODAY. ASIDE
FROM NORMAL CROSS EXAMINATION CONCERNING EVENTS OF MEETINGS OF JANUARY
FOURTEENTH AND FEBRUARY EIGHTEENTH, FORTY NINE, POMERANTZ ASKED MILLER TO
GO THROUGH THE ENTIRE MECHANICS OF HOW HE LEARNED NAME OF UNKNOWN MAN HE
HAD OBSERVED WITH JUDITH COPLON ON NIGHT OF JANUARY FOURTEENTH, FORTY NINE.
JUDGE SUSTAINED OBJECTION TO THIS QUESTION AND STATED IT WAS IRRELEVANT AS
TO HOW MILLER MADE IDENTIFICATION. POMERANTZ WAS OBVIOUSLY PERTURBED ABOUT
SUCH A RULING INASMUCH AS HE HAD SEVERAL PAGES OF NOTES WHICH HE WAS
APPARENTLY GOING TO USE IN THIS PARTICULAR LINE OF CROSS EXAMINATION.
POMERANTZ QUESTIONED MILLER ONLY BRIEFLY ON WIRE TAP ISSUE AND ENTIRE LINE
OF CROSS EXAMINATION WAS TRYING TO GET MILLER TO ADMIT THAT, AS A NORMAL
PERSON, HE KNEW THAT THE TELEPHONES WERE TAPPED. DURING QUESTIONING, MILLER
USED SUCH TERMS AS HE COULD CONCLUDE THAT TELEPHONES WERE TAPPED OR HE COULD
ASSUME THAT THEY WERE TAPPED OR HAD REASON TO BELIEVE THEY WERE TAPPED, BUT
DID NOT KNOW THIS OF HIS OWN PERSONAL KNOWLEDGE. INASMUCH AS YESTERDAY
MILLER TESTIFIED IN ANSWER TO PALMER'S QUESTION/AS TO WHETHER MILLER HAD
EVER SEEN COPLON ATTEMPT TO PASS ANYTHING TO GUBITCHEV TO EFFECT THAT "EXCEPT
FOR THE CIRCUMSTANCES SURROUNDING THE BRIEF MEETING OF FEBRUARY EIGHTEENTH,
THE ANSWER WOULD BE NO", POMERANTZ TRIED TO SHOW THAT MILLER WAS A PREJUDICED
AND BIASED WITNESS BY ASKING HIM WAS IT NOT A FACT THAT HE DELIBERATELY, BY
INNUENDO AND OTHERWISE, TRIED TO CONVEY TO THE JURY THAT ACTUALLY SOMETHING

DID PASS BETWEEN COPLON AND GUBITCHEV ON FEBRUARY EIGHTEENTH, MILLER

Sent 4-39P M Per

JMO:M:CTC Approved: _____
65-14932
cc. - 65-14939 (Gubitchev) Special Agent in Charge

65-14932-848

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

2/1/50

Transmit the following Teletype message to:

ANSWERED THIS QUESTION BY STATING THAT HIS ONLY PURPOSE IN RELATING THE FACTS WAS TO RELATE HIS OBSERVATIONS OF THAT EVENING IN A TRUTHFUL MANNER AND THAT THE JURY COULD DRAW ITS OWN CONCLUSIONS FROM HIS OBSERVATIONS. ONE OF THE LAST QUESTIONS POMERANTZ ASKED MILLER WAS WHETHER HE HAD ANY KNOWLEDGE WHATEVER OF THE PHYSICAL LAYOUT OF THE INSIDE OF THE SOVIET DELEGATION BUILDING AT SIX EIGHT ZERO PARK AVENUE. THIS WAS IMMEDIATELY OBJECTED TO AND THE OBJECTION SUSTAINED. POMERANTZ STATED THAT HE WANTED TO ARGUE IN CHAMBERS WITH THE COURT HIS RIGHT TO CROSS EXAMINE MILLER IN CONNECTION WITH HIS METHOD OF IDENTIFYING GUBITCHEV. AT TWO PM SA R. W. ROBINSON WILL TAKE STAND ABOUT FACTS ON BOTH JANUARY FOURTEENTH AND FEBRUARY EIGHTEENTH, FORTY NINE.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____



Federal Bureau of Investigation
United States Department of Justice
New York - New York

February 1, 1950

MEMORANDUM

RE: JUDITH COPLON
VALENTINE GUBITCHEV
ESPIONAGE - R

While talking to Mr. J. J. McGuire of the Bureau today on another matter, he inquired if Miss Manos' picture had appeared in the newspapers in connection with her testimony yesterday. I advised that it had; that there was a one column picture in the Daily News, a smaller one in another paper and that it probably also appeared in others. I stated that she had made an excellent witness. He requested that the Bureau be furnished the clippings re Miss Manos.

EDWARD SCHEIDT

SAC

ES:gu



MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

65-14932-849
F. B. I.
FEB 1 1950
N. Y. C.
ROUTED TO
FILE



Federal Bureau of Investigation
United States Department of Justice

February 2, 1950

MEMO

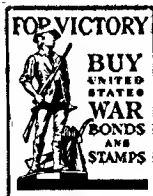
RE: JUDITH COPLON
ESPIONAGE - R

Mr. NELSON FRANK, columnist for the "World Telegram & Sun" called February 1, 1950 and advised that MILLARD MIDONICK had been retained by POMERANTZ as an attorney in connection with the union difficulties which POMERANTZ was in regarding the Young People's Record Company in which he is a major stockholder.

Mr. FRANK stated that he was merely advising us of this for our information.

ROBERT R. GRANVILLE, SA

RRG:IM
65-14932



65-14932-850
F. B. I.
FEB 2- 1950
N. Y. C.

New York, New York

**MR. SCHMIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GUNNARSON
MR. LEE
MR. RAY
MR. TOLSON

SAULT

TOLSON

CLERK
PROPERTY CLERK
TRAINING UNIT**

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

Mr. Fletcher advised further that the Bureau is sending out a letter to the effect that it will not be necessary to conduct surveillances of ships and planes for any possible departure of GUBITCHEV from the country as long as the trial is going on.

AHB:CTC
'65-14932

65-14932-857
FBI - NEW YORK
FEB 2 1950
T. J. Miller

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

February 2, 1950

9

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. HARBO
MR. MOHR
MR. WATSON
MR. WOOD
MR. ZIEGLER
MR. CLEGG
MR. GLAVIN
MR. GURNEA
MR. HENRICH
MR. JONES
MR. KANE
MR. LEE
MR. MURPHY
MR. PENNINGTON
MR. QUINN
MR. TOLSON
MR. WINTERROWD
MR. WYATT
MR. ZANDER
MR. BROWN
MR. GIBSON
MR. HARRIS
MR. HOFFA
MR. KILPATRICK
MR. LAMARCA
MR. LEE
MR. MURPHY
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WOOD
MR. ZIEGLER
MR. CLEGG
MR. GLAVIN
MR. GURNEA
MR. HENRICH
MR. JONES
MR. KANE
MR. LEE
MR. MURPHY
MR. PENNINGTON
MR. QUINN
MR. TOLSON
MR. WINTERROWD
MR. WYATT
MR. ZANDER

MEMO

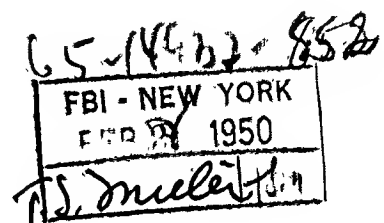
RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

On the afternoon of February 1, I called to the attention of Mr. H. B. Fletcher of the Bureau two articles concerning the FBI. The first appears in the February 4 issue of "The Nation", starting on page 99, entitled "FBI - Outside The Law?", and the second, ascribed to JAMES LAWRENCE FLY, entitled "The Wire Tapping Outrage", starting on page 14 of the "New Republic", issue of February 6, 1950. Mr. Fletcher advised that the Bureau would get copies of these immediately.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932



Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 2, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

MR. SCHMIDT	
MR. BELMONT	
MR. TOLSON	
MR. CLEGG	
MR. GLAVIN	
MR. LADD	
MR. NICHOLS	
MR. ROSEN	
MR. TRACY	
MR. WATSON	
MR. WHELAN	
MR. WYATT	
MR. ZIEGLER	
MR. BELMONT	
MR. TOLSON	
MR. CLEGG	
MR. GLAVIN	
MR. LADD	
MR. NICHOLS	
MR. ROSEN	
MR. TRACY	
MR. WATSON	
MR. WHELAN	
MR. WYATT	
MR. ZIEGLER	
MR. BELMONT	
MR. TOLSON	
MR. CLEGG	
MR. GLAVIN	
MR. LADD	
MR. NICHOLS	
MR. ROSEN	
MR. TRACY	
MR. WATSON	
MR. WHELAN	
MR. WYATT	
MR. ZIEGLER	

On the afternoon of February 1, I called Mr. H. B. Fletcher of the Bureau to advise him that SA Robinson was still on the stand at the close of the court session today; that Robinson had gone over his part of the surveillance of January 14 and 15 and February 18. PALMER had finished his cross-examination and tomorrow morning POMERANTZ will continue his cross-examination.

Mr. Fletcher advised that the "Washington Star" carried an article to the effect that SA T. S. Miller testified that all reports and recordings connected with the wire taps in this case were destroyed. I advised Mr. Fletcher this was false; that Agent Miller had not so testified and that Agent Miller had testified that the monitors' slips and the discs had been destroyed pertaining to the New York telephone taps.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-852

FBI - NEW YORK
FEB 2 1950

Federal Bureau of Investigation
United States Department of Justice

New York, N. Y.
February 2, 1950

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. HARRIS
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. CLEGG
MR. GLAVIN
MR. HARBO
MR. MOHR
MR. WINTERROWD
CLERK
PROPERTY CLERK
TRAINING UNIT

MEMORANDUM:

RE: JUDITH COPLON
VALENTIN A. GUBITCHEV
ESPIONAGE R

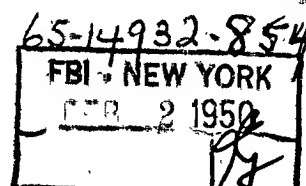
At approximately 1 PM on February 2nd I called Mr. Laughlin of the Bureau in the absence of Mr. Fletcher to advise him of developments in this trial in the morning session of Court. I advised that SA Roger Robinson had been on the stand all morning and would continue this afternoon under cross-examination. There was no noteworthy development concerning his testimony. However, there were developments which further indicated the attitude of Judge Ryan in this matter, and I thought the Bureau should have them in order to be apprised of his attitude.

At the morning recess Attorney Pomerantz further pressed his desire to question Agent T. S. Miller on his knowledge of the physical layout of the interior of the Soviet Delegation Building. This was taken up in the Judge's chambers. The Judge again refused to allow him to pursue this line of questioning. As Mr. Kelly was leaving, the Judge's chambers after this discussion, the Judge motioned him back and told him in effect that he did not mind a Communist who held himself out as such telling him that come the revolution he, the Communist, would be in and the Judge would be out, but he had no use for anyone who held himself out to be a good American citizen and then doing the things that Pomerantz was doing. The Judge was very emphatic and said what he thought of Pomerantz in unmistakable terms.

After Court took up again the Judge had occasion to rule against Pomerantz on several points during his cross-examination of Robinson. On one occasion after such a ruling Pomerantz made a facial grimace, whereupon the Judge roundly took him to task, advising him that he had noted on a number of occasions when he found it necessary to rule against him that Pomerantz by facial expressions and grimaces expressed amazement, hurt, and assumed an air of innocence. The Judge told Pomerantz that he wanted that stopped. Pomerantz requested a few seconds to "recollect himself", at which time the Judge said he would give him a five minute recess. The Jury they went out and Pomerantz, not realizing the Judge had not left, remarked to NOVIKOV that he had never received such a judicial admonition in his 25 years experience. Judge Ryan then sternly told Pomerantz that he overheard that remark and "didn't like it one bit". Pomerantz explained that he had not received such an admonition in his experience, at which time Judge Ryan told him that he hoped that would be the last time Pomerantz would ever receive such an admonition.

AHB:MT

65-14932; cc 65-14939



Mr. Laughlin was advised that Court would resume at 2:15 PM.

A. H. BELMONT
ASAC

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 3, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

At 1:00 pm today, I called Mr. Leo Laughlin at the Bureau to advise him that before the jury entered the court room this morning, attorney PALMER requested what he called a voir dire examination with the jury absent on the question of entrapment in connection with the deceptive memorandum given to subject COPLON. He requested the following witnesses in connection with this examination: Mr. Brown and Mr. Ford of the Department; Mr. Hoover, Mr. Fletcher and Mr. Lamphere of the Bureau. The judge advised that he saw no reason for such an examination. He said that PALMER could renew his request at the proper time which presumably will be when Foley takes the stand. Mr. Laughlin was advised that we would be alert for any developments regarding a possible subpoena for the Director but we were inclined to doubt that the judge would allow such a subpoena.

PALMER also advised that he would like to have SA Lynn Bedford and SAs Delavigne and Mendenhall of the WFO present for an examination before the jury in connection with the alleged mutilation of microphone recordings from the microphone installation in COPLON's office, and also relative to the failure to record the alleged conversation between Foley and COPLON on the morning of March 4. The judge denied this request.

Mr. Laughlin was advised that Agent Malley had been on the stand all morning and was under cross-examination when court recessed for lunch.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-855

FBI - NEW YORK
FEB 3 1950

MR. SCHEIDT
MR. BELMONT
MR. WILLIAMS
MR. COLEMAN
MR. CROFT
MR. FORD
MR. GALE
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WHELAN
MR. WYATT
MR. ZIEGLER
MR. CLERK
TRAINING UNIT



Federal Bureau of Investigation
United States Department of Justice

February 3, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

Reference is made to the report of SA T. Scott Miller dated 1/28/49 at New York in the captioned case which reflects that COPLON attended Barnard College from September 1939 until June 1943, and was on the editorial staff of the "Barnard Bulletin."

A check of the records of the New York Public Library at 5th Avenue and 42nd Street on 2/1/50 revealed that copies of the "Barnard Bulletin" described as a weekly student publication, are available for the years 1901 to 1918 only.

JOHN M. STOLZENTHALER, SA

JMS:IM
65-14932



65-14932-856
F. B. I.
FEB 3- 1950
N. Y. C.
E

MR. SCHEIDT
MR. BELMONT
MR. WHILAN
MR. COLLIER
MR. GRANVILLE
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WEAVER
MR. YERGEN
ASSAULT
ADVISOR
CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO

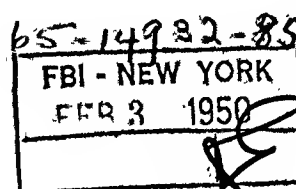
On the afternoon of February 2, I advised Mr. H. B. Fletcher of the Bureau that, following the noon recess of court, attorney POMERANTZ moved for a mistrial, first on the grounds that the judge had commented that SA Robinson appeared to be an honest witness, and second on the grounds of the colloquy between Judge Ryan and POMERANTZ just before court adjourned for the noon recess. Both motions were denied.

SA Robinson completed his testimony as of the close of court this afternoon. Tomorrow morning, SAs Malley and Hradsky will testify concerning their knowledge of the February 18th surveillance, after which Foley of the Department will take the stand. As soon as Foley reaches the decoy message, he will be withdrawn from the stand and Agent Lamphere will testify concerning the preparation of the decoy message. Foley will then resume the stand.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932



Re Judith Coplan
Valentine Subitcher
Esp (CR).

New York 7, N. Y.
February 3, 1950

Reference is made to the physical surveillance log dated January 14, 1949, submitted by SAs Richard T. Hradsky, Richard E. Brennan and John F. Malley in connection with a surveillance of COPLON and GUBITCHEV on the night of January 14, 1949.

The surveillance log reflects that GUBITCHEV left COPLON at the 125th Street Station of the Independent Subway on which they were both riding downtown. After leaving COPLON, GUBITCHEV proceeded to the 116th Street Station by another train. He walked to 8th Avenue, between 115th Street and 114th Street, where he took a taxicab to Broadway and 116th Street. The taxicab bore the license NY 1948-#035-652.

On February 1, 1950, it was ascertained from the New York State Motor Vehicle Bureau that the above registration was held by the Adano Service Corporation, 641 St. Nicholas Avenue, Manhattan, New York City.

On February 1, 1950, Mr. LEONARD STOCKEL, dispatcher, Adano Service Corporation, was interviewed. He made available a trip sheet dated 1/14/49 filled out and submitted by cab driver ROSCOE CUMMINGS who was on that date driving the Adano cab bearing NY 1948 license #035-652. The trip sheet reflects that at 9:00 P.M. on 1/14/49, CUMMINGS picked up one passenger at 110th Street and 8th Avenue and took the passenger to 116th Street and Broadway. The trip ended at 9:05 P.M. It was trip #22 and the fare was 40¢.

ROSCOE CUMMINGS, cab driver with the Adano Service Corporation, was also interviewed. With the trip sheet to help refresh his recollection, he stated that he recognized it as the one he had filled out and submitted for January 14, 1949. He went on duty at approximately 4:30 P.M. on that date. He was questioned carefully for details concerning trip #22, beginning at 9:00 P.M. at 110th Street and 8th Avenue and ending at 9:05 P.M. at Broadway and 116th Street. He was unable to recall anything in connection with this trip.

CUMMINGS, a negro, resides at 2692 8th Avenue. The indices of the New York Office reflect no reference to ROSCOE CUMMINGS.

Mr. STOCKEL, whose father is part owner of the Adano Service Corporation, stated that he would preserve the trip sheet in question for future reference in the event this Bureau has further need for it.

CC 65-14932

J. H. Stolzenthaler
(52)
65-14932-858

FBI - NEW YORK
FEB 5 1950
2

Federal Bureau of Investigation
United States Department of Justice

New York, New York

February 3, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

MR. SCHMIDT
MR. BELMONT
MR. CLEGG
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. HARBO
MR. MOHR
MR. WINTERROWD
TELE. ROOM
MR. HOLLOMAN
MISS GANDY

On the afternoon of February 3, I called Mr. H. B. Fletcher at the Bureau to advise him that Agent Malley had completed his testimony this afternoon, after which Agent Hradsky took the stand to testify concerning his knowledge of the February 18 surveillance. Agent Hradsky also completed his testimony, including cross-examination. Monday morning, February 6, Mr. Foley of the Department will take the stand and after a portion of direct examination, Agent Lamphere will take the stand for the introduction of the information concerning the decoy message. Mr. Fletcher was advised that Agent Lamphere is returning to Washington tonight via the 6:50 pm plane and will return for Monday morning.

Mr. Fletcher advised that, relative to my call to the Bureau on February 2 regarding Mr. Kelley's opinion that Judge Ryan may have caused reversible error by refusing to permit further cross-examination concerning the identification of GUBITCHEV on January 15, the Director wants to make sure that no impression is left with Mr. Kelley or Mr. Whearty that the Bureau is holding out or will enable "buck passing" in the event there is a reversal. I assured Mr. Fletcher that we had stated the Bureau's position very clearly with Mr. Whearty and Mr. Kelley. I advised him further that, in line with my previous advice to Mr. Fletcher, Mr. Kelley and Mr. Whearty had talked to USA Saypol who likewise expressed some concern and who had apparently discussed the matter with the court, but that the court felt it was on solid ground. Therefore, no further action was being taken concerning the matter.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14732-859

FBI - NEW YORK
FEB 3 1950

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
FEB. 3, 1950

MR. SCOTT
MR. DELOUNT
MR. TACLAN
MR. COLLIER FD-36
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. FIELD-URGENT
CHIEF CLERK
PROPERTY CLERK
PALMER UNIT

Transmit the following Teletype message to: BUREAU and WASHINGTON FIELD-URGENT
JUDITH COPLON, ESPIONAGE R. BEFORE JURY CAME IN THIS MORNING, PALMER ADVISED THAT THE GOVERNMENT INTENDED TO PUT ON WILLIAM FOLEY OF THE DEPARTMENT TO INTRODUCE THE TWO DECEPTIVE MEMORANDA AND, IN CONNECTION WITH THAT, PALMER REQUESTED WHAT HE DESCRIBED AS A VOIR DIRE EXAMINATION OUT OF THE PRESENCE OF THE JURY OF THE FOLLOWING GOVERNMENT WITNESSES ON THE QUESTION OF ENTRAPMENT. MR. FORD AND MR. BROWN OF THE DEPARTMENT, MR. HOOVER, SA LAMPHERE, AND MR. FLETCHER. JUDGE RYAN SAID THAT THE QUESTION OF ENTRAPMENT WAS A QUESTION FOR THE JURY, BUT PALMER INDICATED IT WAS TIED IN TOO CLOSELY WITH THE INTRODUCTION OF THE TWO DECEPTIVE MEMORANDA. THE JUDGE DENIED HIS REQUEST, STATING HE WOULD RECONSIDER IT AT A MORE APPROPRIATE TIME, THAT IS, WHEN FOLEY TOOK THE STAND. PALMER ALSO SAID HE WANTED TO SUBPOENA SAS BEDFORD, DELAVIGNE, AND MENDENHALL IN CONNECTION WITH WIRE TAPPING IN PARTICULAR THE ALLEGED MUTILATION OF THE MICROPHONE RECORDS AND IN PARTICULAR THE FAILURE TO RECORD CONVERSATIONS IN COPLON'S OFFICE ON THE MORNING OF MARCH FOUR, FORTY NINE. THE JUDGE DENIED THIS ALSO AND TOLD PALMER JUST BEFORE THE JURY CAME IN THAT MR. PALMER COULD SUBPOENA ANY WITNESSES HE DESIRED PROVIDED THEIR TESTIMONY WOULD BE RELEVANT AND MATERIAL TO THE ISSUES OF THIS CASE. AFTER THE JURY CAME IN, SA MALLEY TESTIFIED ABOUT EVENTS OF JANUARY FOURTEEN, AFTER WHICH HE WAS CROSS EXAMINED BY BOTH PALMER AND POMERANTZ. HE THEN TESTIFIED ABOUT EVENTS OF FEBRUARY EIGHTEEN, FORTY NINE AND WAS UNDER CROSS EXAMINATION BY PALMER WHEN COURT

RECESSED AT TWELVE FORTY-FIVE. WILL RECONVENE AT TWO FIFTEEN.
Approved: _____ Sent: _____ M SCHUBERT

Special Agent in Charge

TSM:MFB
65-14932
CC: 65-14939

65-14932-860²

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
FEBRUARY 3, 1950

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. DURING AFTERNOON SESSION, CROSS EXAMINATION OF MALLEY WAS COMPLETED RELATIVE TO FEBRUARY EIGHTEENTH. SA R. T. HRADSKY THEN TOOK STAND TO TESTIFY ABOUT FEBRUARY EIGHTEENTH AND HIS CROSS EXAMINATION BY BOTH DEFENSE COUNSEL WAS COMPLETED WHEN COURT ADJOURNED AT FOUR PM TODAY. FIRST WITNESS AT TEN FIFTEEN AM ON MONDAY WILL BE WILLIAM E. FOLEY OF DEPARTMENT WHO WILL BE FOLLOWED BY SA R. J. LAMPHERE. NOTHING OF INTEREST OCCURRED DURING AFTERNOON SESSION OF TRIAL.

SCHEIDT

cc - 65-14939 (Gubitchev)

TSM:CTC
65-14932

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUDOHY
MR. WALSH
MR. WOLF
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Approved: _____

Special Agent in Charge

Sent

6-19P M

Per

R. J. LAMPHERE

65-14932-861

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

February 6, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. TOLSON
MR. CLEGG
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WEAVER
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

At 5:25 pm on February 3, I called Mr. H. B. Fletcher of the Bureau concerning Attorney PALMER's request for a voir dire examination. Mr. Fletcher was advised that I had talked to government attorney Kelley to find out just what chance PALMER had of accomplishing his apparent desire to subpoena the Director, Mr. Ford of the Department, etc. Mr. Kelley advised that PALMER was entirely out of line in making this request at this time, that he should have made the request before the trial started. Mr. Kelley said there was not one chance in ten thousand of PALMER getting the judge to agree to such an examination. Kelley stated that after the government's case is in, then PALMER may try to subpoena anyone he desires. For example, attorney LAUGHLIN in Washington, D. C. tries to subpoena the Director, senators, etc. in every case he is trying involving Bureau investigations but he very seldom gets anywhere. Mr. Kelley advised that in the event PALMER does request subpoenas along this line when the defense case goes in, the court considers what the witnesses can testify to and whether the grounds for the subpoena are pertinent. Mr. Kelley doubted that PALMER would be able to get subpoenas even when the defense case goes in inasmuch as the Director's testimony would not be pertinent and Mr. Lamphere and Mr. Fletcher can testify to full knowledge concerning the decoy memorandum. Mr. Fletcher was advised that we will follow this closely.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-862

FBI - NEW YORK
FEB 6 1950

New York, New York

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HULLS
MR. KENNEDY
MR. LEVY
MR. CONSAULT
SUPERVISOR
MR. [illegible]
MR. [illegible]
MR. [illegible]
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

FBI - NEW YORK
FEB 6 1950

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE
NEW YORK, N. Y.
FEBRUARY 6, 1950

Transmit the following Teletype message to: OMAHA

URGENT

JUDITH COPLON, ESPIONAGE - R. SA BREWER WILSON SHOULD DEPART IMMEDIATELY
FOR NYC AS NECESSARY WITNESS INSTANT CASE. POSSIBILITY HIS TESTIMONY WILL
BE REQUIRED FEBRUARY SEVENTH OR EIGHTH.

SCHEIDT

RRG:CTC
65-14932

RRS

Approved: _____

Special Agent in Charge.

Sent 10:4a MPer SB em

65-14932-864

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N.Y.
FEB. 6, 1950

Transmit the following Teletype message to: OMAHA URGENT
JUDITH COPLON, ESP. - R. SA BREWER WILSON NECESSARY WITNESS FOR FEBRUARY
SEVENTH, A.M. ADVISE WHEN DEPARTING AND ARRIVAL TIME, NYC. SUTEL.

SCHEIDT

AHB:CTC
65-14932

Approved: 

Special Agent in Charge

Sent 129 P MPer AB 

65-14932-865

MR. WILLIAMS
 MR. COLLIER
 MR. GRANVILLE
 MR. HUGHES
 MR. KENNEDY
 MR. LEVVIS
 MR. MARCHESSAULT
 MR. MCGAN
 NIGHT SUPERVISOR
 MR. KING
 MR. TROPHY
 MR. WALSH
 MR. WOHL
 CHIEF CLERK
 PROPERTY CLERK
 TRAINING UNIT

FBI OMAHA 2-6-50 3-15 PM CST BFC

SAC NEW YORK CITY URGENT

JUDITH COPLON ESP R. SA BREWER WILSON DEPARTING DES MOINES TWO
 FIFTEEN PM, FEBRUARY SIX. VIA TW PLANE OUT OF CHICAGO ELEVEN,
 NAUGHT FIVE TONIGHT. EXPECTS TO ARRIVE NYC TWO FIFTY FIVE AM,
 FEBRUARY SEVEN.

DALTON

END

ACK

4-17PM OK FBI NYC REOT

65-14932-866

FEB 6 1950

ROUTED TO

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.
FEBRUARY 6, 1950

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT
JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. -- R. BEFORE JURY CAME IN THIS
MORNING, PALMER SUPPLIED JUDGE RYAN WITH MEMORANDUM SETTING FORTH WHY HE
SHOULD BE ALLOWED TO CALL CERTAIN GOVERNMENT WITNESSES AT TIME GOVERNMENT
ATTEMPTED TO INTRODUCE DECEPTIVE MEMORANDUM DATED MARCH THIRTY, FORTY NINE.
WITNESSES PALMER REQUESTED HAVE BEEN PREVIOUSLY FURNISHED YOU. HE SPECIFICALLY
MENTIONED MR. FLETCHER AND MR. HOOVER WHEN TALKING ABOUT MEMORANDUM TO JUDGE.
JUDGE AGAIN DENIED PALMER'S MOTION TO HAVE THESE WITNESSES CALLED, ADDING
"AT THIS TIME" AND INDICATED TO PALMER THAT IT WOULD BE A WASTE OF THE COURT'S
TIME TO EVEN READ THE MEMORANDUM. FOLEY OF DEPARTMENT THEN TOOK STAND AND
TESTIFIED ON DIRECT EXAMINATION UP TO HIS TESTIMONY CONCERNING HIS BEING
HANDED THE DECEPTIVE MEMORANDUM OF MARCH THIRD. AT THAT TIME, FOLEY LEFT
STAND AND SA R. J. LAMPHERE TOOK STAND AND FURTHER IDENTIFIED MEMORANDUM.
HIS CROSS EXAMINATION WAS OF BRIEF NATURE AND ONLY QUESTION OF INTEREST
WHICH LAMPHERE HAD TO ANSWER WAS WHETHER ORIGINAL INFORMATION OF DECEMBER
THIRTY FIRST, FORTY EIGHT, AS RESULT OF WHICH COPLON WAS PLACED UNDER SUSPICION
OF ENGAGING IN SOVIET ESPIONAGE, WAS SPECIFIC AS TO ANY INDIVIDUAL PERSON.
LAMPHERE'S ANSWER WAS "IT WAS NOT SPECIFIC". IT SHOULD BE POINTED OUT THAT
PRACTICALLY ALL OF POMERANTZ' CROSS EXAMINATION OF LAMPHERE DEALT WITH
ORIGINAL INFORMANT AND WHETHER IT WAS A WIRE TAP AND QUESTIONS OF SIMILAR
NATURE. NEARLY ALL SUCH QUESTIONS DEALING WITH ORIGINAL SOURCE WERE OBJECTED
TO AND JUDGE SUSTAINED OBJECTIONS WITH EXCEPTION OF ONE QUESTION MENTIONED
ABOVE. FOLEY THEN TOOK STAND AND CONTINUED HIS DIRECT EXAMINATION CONCERNING

TSM:CTC
65-14932

Approved: _____

Special Agent in Charge

Sent _____ M

Per _____

cc - 65-14939 (Gubitchev)

65-14932-867 ^{Con}

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

2/6/50

Transmit the following Teletype message to:

CONVERSATIONS HE HAD WITH COPLON RELATIVE TO TYPE OF WORK SHE WAS BEING
TAKEN OFF OF AND INTELLIGENCE SUMMARY DESIGNATED TOP SECRET. FOLEY IS
PRESENTLY UNDER CROSS EXAMINATION BY PALMER AND DURING SUCH CROSS EXAMINATION
JUDGE ORDERED GOVERNMENT TO PRODUCE TOP SECRET INTELLIGENCE SUMMARY MERELY
ON QUESTION OF FOLEY'S CREDIBILITY, JUDGE STATING IT SHOULD BE GIVEN TO
HIM SEALED AND THAT HE IS NOT GOING INTO THE CONTENT OF IT BUT IS MERELY
GOING TO ASSURE HIMSELF THAT INTELLIGENCE SUMMARY IS CLASSIFIED "TOP SECRET".
COURT WILL RESUME AT TWO FIFTEEN PM WITH FOLEY BEING CROSS EXAMINED BY PALMER.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE


NEW YORK, N. Y.
FEBRUARY 6, 1950

Transmit the following Teletype message to:

BUREAU....URGENT

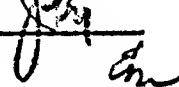
JUDITH COPLON, ESP-R. IN CONNECTION WITH INVESTIGATION BEING CONDUCTED IN THIS CASE, NYO DESIRES TO CONTACT OCCUPATION BUREAU OF BARNARD COLLEGE, NYC, FOR PURPOSE OF DETERMINING EXACT METHODS USED BY THAT BUREAU IN CORRESPONDING WITH GRADUATES OF THE COLLEGE WHO HAVE WRITTEN IN RE THE POSSIBILITIES OF BEING PLACED IN A NEW POSITION. THIS ISSUE ARISES OUT OF PREVIOUS TESTIMONY OF COPLON IN THE WASHINGTON TRIAL TO THE EFFECT THAT THE ONIONSKIN PAPER NOTED IN HER PURSE ON FEBRUARY EIGHTEENTH WAS PROBABLY A LETTER FROM OCCUPATION BUREAU OF BARNARD COLLEGE. AT THAT TIME COPLON EXPLAINED AT LENGTH THAT THE LETTERS FROM THAT BUREAU WERE SET OUT ON ONIONSKIN AND TYPEWRITTEN SINGLE SPACED. FOR THIS REASON BUREAU PERMISSION IS REQUESTED TO CONTACT OCCUPATION BUREAU AT BARNARD. SUTEL ANSWER.

SCHEIDT


JMO:IM
65-14932

Approved: 
Special Agent in Charge

Sent  M

Per 

65-14932 - 868

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N. Y.
FEB. 6, 1950

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP. - R. PALMER CONTINUED HIS CROSS EXAMINATION OF FOLEY DURING AFTERNOON SESSION AND WAS STILL QUESTIONING FOLEY WHEN COURT ADJOURNED AT FOUR FIVE PM TODAY. PALMER BROUGHT OUT FACT THAT IN WASHINGTON FOLEY TESTIFIED IT WAS PETER BROWN OF DEPARTMENT WHO ORIGINALLY TOLD HIM OF IDENTITY OF GUBITCHEV BUT NOW STATES IT WAS CLIVE PALMER WHO TOLD HIM ABOUT GUBITCHEV. FOLEY CORRECTED HIMSELF AS RESULT OF CONVERSATION WITH ^{CLIVE} PALMER BEFORE TRIAL. PALMER QUESTIONED FOLEY IN GREAT DETAIL ABOUT THE POSITION HE WAS IN NEAR COPLON'S DESK ON MORNING OF MARCH FOURTH AT TIME HE LAID THREE MEMOS ON HER DESK, INCLUDING THE DECEPTIVE ONE. PALMER THEN ASKED THAT FBI MICROPHONE RECORDING OF THAT DATE BE PLAYED BEFORE THE JURY. JUDGE RYAN STATED THAT HE WAS GOING TO ALLOW IT BUT ASKED PALMER TO REMIND HIM SOME TIME SUBSEQUENTLY AS HE DID NOT WANT IT DONE AT THIS TIME. PALMER ALSO ASKED GOVERNMENT TO PRODUCE THE TWO MEMORANDA GIVEN BY FOLEY WITH DECEPTIVE ONE TO COPLON ON MARCH FOURTH, FORTY NINE, AT WHICH TIME KELLEY SAID THE GOVERNMENT HAD NO WAY OF IDENTIFYING THOSE MEMOS. JUDGE ORDERED THEM PRODUCED IF THEY COULD BE POSSIBLY PRODUCED SO THAT HE CAN DETERMINE WHETHER THEY ARE MATERIAL TO CASE AND THEREFORE MADE ACCESSIBLE TO DEFENSE COUNSEL. *Gov't ATTORNEYS*
DO NOT BELIEVE DEPT CAN IDENTIFY THESE MEMOS. *PALMER*
INDICATED HE WAS GOING TO SPEND CONSIDERABLE MORE TIME WITH FOLEY. FOLEY WILL BE FOLLOWED BY RUTH ROSSON. *P*

SCHEIDT

TSM:CTC
65-14932

cc - 65-14939 (Gubitchev)

Approved: *[Signature]*

Special Agent in Charge.

Sent *9 33 P* MPer *[Signature]*

65-14932-869

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 6, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. TUGGLES
MR. REYNOLDS
MR. LUTHER
MR. SAULT
MR. TROTT
MR. WALKER
MR. WELLS
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

At about 1:00 pm today, I called Mr. H. B. Fletcher of the Bureau to advise him that when court opened this morning, Attorney PALMER renewed his request for the appearance of Bureau officials, including Mr. Hoover and Mr. Fletcher, regarding entrapment in the preparation of the decoy memoranda. The court denied the motion although the court accepted a memorandum prepared by PALMER relative thereto and indicated it would be a waste of time to read it.

Mr. Foley of the Department then testified on direct up to the time he saw the deceptive memorandum on March 3. Agent Lamphere then took the stand regarding the preparation of the memoranda. He was on the stand a total of about 45 minutes. Cross-examination by POMERANTZ was mainly directed towards the source of the information that COPLON was engaged in espionage. Foley then took the stand again and brought up the top secret intelligence report of the FBI on Russian espionage and related matters by stating that he had originally shown it to Miss COPLON and that COPLON had asked him at least twice for it since. The defense called for the report and the judge instructed the government to produce it in a sealed envelope. The judge stated he would examine the top cover to see if it was marked top secret but would not go through the report. Mr. Fletcher was advised that inasmuch as the report referred to was the Department's copy, the Department would have to get its copy. I later advised Mr. Fletcher that Mr. Whearty said he was going to send Mr. Foley down to Washington tonight to get the report and bring it back with him; that it was in a safe in a sealed envelope. Mr. Whearty asked me if we wanted to send someone with Foley in view of the nature of the document. I told Mr. Fletcher I advised Mr. Whearty that the Bureau had turned the document over to the Department and it was up to them how they handled it; that it was their problem.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-870

FBI - NEW YORK
FEB 6 1950

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

February 7, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

At 1:00 pm on February 7, 1950, I called Mr. H. B. Fletcher of the Bureau to advise him that Mr. Foley of the Department was still on the stand under cross-examination by POMERANTZ. During his testimony, attorney PALMER had marked for identification the handwritten log of SA Bedford reflecting the results of the coverage of COPLON's office; a disc prepared by Bedford on the morning of March 4 covering the period 9:10 am to 10:29 am which covers the time that Foley went into COPLON's office with the deceptive memoranda; and two discs covering conversations at 3:09 pm and 3:30 pm on February 14, 1949. Allegedly, on February 14, Foley talked to COPLON concerning Internal Security although he testified that he had removed her from Internal Security work in early January. According to government attorneys, Foley was making a good witness.

The top secret report mentioned yesterday has been produced by the government attorneys and turned over to Judge Ryan. This is the Department's copy. Judge Ryan looked at it and denied access by the defense. The government attorneys have talked to United States Attorney Saypol about having the top page of the report photostated so show that it is marked top secret and then having the report returned to the Department in order that it can be placed in the Department's vault again.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. TUGGLES
MR. ST. JUDY
MR. SAULT
MR. VISOZ
MR. G. L. H.
PROPERTY CLERK
TRAINING UNIT

65-14932-871

FBI - NEW YORK
FEB 7 1950
T. S. Miller

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

February 7, 1950

.....	MR. SCHEIDT
.....	MR. BELMONT
.....	MR. WHELAN
.....	MR. COLLIER
.....	MR. CHAMBERLAIN
.....	MR. EBY
.....	MR. GALT
.....	MR. HARBO
.....	MR. LADD
.....	MR. NICHOLS
.....	MR. ROSEN
.....	MR. TRACY
.....	MR. WATSON
.....	MR. WOOD
.....	MR. YERGEN
.....	MR. ZIEGLER
.....	MR. CLEGG
.....	MR. GLAVIN
.....	MR. MOHR
.....	MR. PENNINGTON
.....	MR. QUINN
.....	MR. TOLSON
.....	MR. WINTERROWD
.....	MR. WOODWARD
.....	MR. WYATT
.....	MR. ZANDER
.....	MR. BROWN
.....	MR. GIBSON
.....	MR. HENRICH
.....	MR. JONES
.....	MR. KANE
.....	MR. KIRKPATRICK
.....	MR. LEE
.....	MR. MANN
.....	MR. MILLER
.....	MR. MURPHY
.....	MR. NEASE
.....	MR. O'NEILL
.....	MR. PETERSON
.....	MR. RYAN
.....	MR. SHERIDAN
.....	MR. SIMON
.....	MR. TERRY
.....	MR. WARD
.....	MR. WILSON
.....	MR. WYATT
.....	MR. ZANDER

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

Following the close of court on February 6, 1950, I advised Mr. H. B. Fletcher of the Bureau that Mr. Foley of the Department had continued on cross-examination by PALMER until court ended at 4:05 pm. He will resume in the morning, to be followed by Mrs. Rosson of the Department. Then the surveillance of March 4 will be gone into. PALMER is trying to pin Foley down to specific conversations at COPLON's desk, particularly on the morning of March 4, 1949. PALMER has requested that the judge allow certain records of the microphone installation in COPLON's office to be played before the jury, particularly that of the morning of March 4. The judge has indicated he will allow this later.

During the Washington trial, Foley stated that Mr. Brown of the Department first told him GUBITCHEV's name. Today he changed this to say that Clive Palmer first told him GUBITCHEV's name and Brown first told him of the investigation of COPLON. Foley also testified that he left three memoranda on COPLON's desk on the morning of March 4, one of which was the deceptive memorandum. PALMER has asked for the other two. The court has instructed the government to get them, if possible; however, the government attorneys say it is not possible.

Mr. Fletcher again referred to that portion of Agent Miller's testimony on January 31, 1950 when the judge turned to Agent Miller and asked if he were a member of the bar whether he thought it would be his duty to advise the government counsel that there were wire taps in this case. This is in reference to the Washington trial. Mr. Fletcher wanted to know whether Whearty and Kelley had indicated to him before the Washington trial that they knew of the wire taps. Mr. Fletcher was advised that Miller does not remember any specific conversations although it is his impression that there were pre-trial conferences at which time the method of answering questions on wire taps was discussed and the government attorneys were present or had knowledge of the discussions. Mr. Fletcher was advised that Agent Miller is vague about this.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)
AHB:CTC
65-14932

65-14932 872

FBI - NEW YORK
FEB 7 1950
JS Miller

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 7, 1950

MEMO

RE: UNITED STATES vs.
JUDITH COPLON and
VALENTINE A. GUBITCHEV

On February 7, 1950, Judge Sylvester J. Ryan, during the trial of instant case, instructed that the Department's copy of the top secret report of the FBI, referred to by the witness William E. Foley, which was turned over to the court on Judge Ryan's instructions on February 6, be returned sealed to the government's custody and preserved in such sealed condition during the trial and pending all further proceedings in the case.

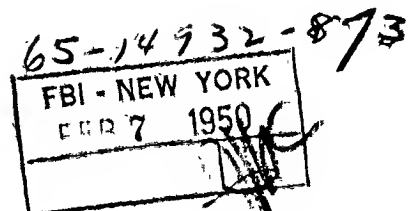
In accordance with Mr. Whearty's request, this report is being maintained in the above condition in the safe of the New York office of the FBI.

A. H. BELMONT
ASAC

cc - Mr. R. P. Whearty

See 1B238

AHB:CTC



FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

FD-36
NEW YORK, NEW YORK
FEBRUARY 17, 1950
MR. SCHUBERT
MR. BELMONT
MR. GOFFER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING URGENT
MR. TUOHY
THE CROSS
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU, WASHINGTON
JUDITH COPLON, ESPIONAGE DASH R. DURING MORNING SESSION TODAY, EXAMINATION OF FOLEY WAS CONTINUED, AT WHICH TIME POMERANTZ CROSS FOLEY, PRINCIPALLY CONCERNING FOLEY'S TESTIMONY THAT HE DID NOT KNOW THAT THE DECEPTIVE MEMORANDA CONTAINED FALSE INFORMATION. POMERANTZ ALSO QUESTIONED FOLEY IN CONSIDERABLE DETAIL RELATIVE TO HIS STATEMENT THAT COPLON HAD BEEN DENIED COMPLETE ACCESS TO INTERNAL SECURITY REPORTS. DURING THE TIME THAT PALMER WAS CROSS EXAMINING FOLEY, HE HAD THE FOLLOWING ITEMS MARKED FOR IDENTIFICATION: ONE, AGENT BEDFORD'S HANDWRITTEN LOG ON COPLON'S MICROPHONE; TWO, THE DISC CONTAINING CUTS ON THE OFFICE MICROPHONE FROM NINE TEN AM TO TEN TWENTY NINE AM ON MARCH FOUR, FORTY NINE; THREE, THE DISC ON WHICH A MICROPHONE CONVERSATION WAS RECORDED AT THREE NINE PM FEBRUARY FOURTEEN, FORTY NINE; FOUR, THE DISC ON WHICH THERE IS A TELEPHONE CONVERSATION FROM THE COPLON OFFICE TAP AT THREE THIRTY PM ON FEBRUARY FOURTEEN, FORTY NINE. DURING THE CROSS EXAMINATION PALMER ACTUALLY USED BEDFORD'S HANDWRITTEN LOG WHEN HE READ A TELEPHONE CONVERSATION BETWEEN FOLEY AND COPLON ON FEBRUARY FOURTEEN, FORTY NINE, AT THREE THIRTY PM, AT WHICH TIME COPLON INQUIRED OF FOLEY WHETHER HE HAD RECEIVED ANY OF THE FBI INTERNAL SECURITY REPORTS. ABOVE ITEMS WERE ALL MARKED FOR IDENTIFICATION FOR THE PURPOSE OF CONFRONTING FOLEY WITH CERTAIN CONVERSATIONS HE HAD WITH COPLON. BOTH PALMER AND POMERANTZ WANTED THESE DISCS PLAYED BEFORE THE

TSM:JF (#6)
65-14932

cc-65-14939

Approved: Colar
Special Agent in Charge

Sent 11-39 PM

Per: Jan 2

65-14932-874

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

- 2 -

Transmit the following Teletype message to:

JURY WHILE FOLEY WAS ON THE STAND, BUT JUDGE RYAN RULED THAT AGENT BEDFORD WAS THE APPROPRIATE WITNESS TO BE ON THE STAND WHEN THESE DISCS WERE PLAYED BEFORE THE JURY AND ADDED THAT POMERANTZ AND PALMER COULD BOTH CONFRONT FOLEY WITH THE SUMMARIES OF ANY OF THESE CONVERSATIONS WITH COPLON. ON BEGINNING OF MORNING SESSION FOLEY TURNED OVER TO JUDGE RYAN A SEALED ENVELOPE CONTAINING THE SUMMARY OF SOVIET INTELLIGENCE COMMONLY REFERRED TO AS THE TOP SECRET REPORT. JUST BEFORE LUNCH JUDGE RYAN RULED THAT HE WAS DENYING THE DEFENSE ACCESS TO THIS REPORT. AT THE BEGINNING OF THE AFTERNOON SESSION THE CROSS EXAMINATION OF FOLEY WAS CONTINUED AFTER WHICH RUTH M. ROSSON, A DEPARTMENTAL ATTORNEY, TESTIFIED CONCERNING TWO CONVERSATIONS SHE HAD WITH COPLON, AT WHICH TIME COPLON WANTED CERTAIN INTERNAL SECURITY REPORTS MADE AVAILABLE TO HER. BUREAU STENO CATHERINE T. CONDON OF THE NYO, FOLLOWED MISS ROSSON AND TESTIFIED CONCERNING HER OBSERVATIONS ON THE SURVEILLANCE OF COPLON ON MARCH FOUR, FORTY NINE. MISS CONDON JUST COMPLETED HER DIRECT EXAMINATION WHEN COURT³ ADJOURNED FOR THE DAY AT FOUR FIFTEEN PM. DURING THE AFTERNOON SESSION JUDGE RYAN STATED THAT HE WAS RETURNING THE TOP SECRET REPORT TO THE GOVERNMENT IN A SEALED ENVELOPE AND WANTED THE GOVERNMENT TO RETAIN POSSESSION OF THIS ENVELOPE IN ITS SEALED CONDITION DURING THE COURSE OF THIS TRIAL. SAAG R. P. WHEARTY REQUESTING THIS OFFICE TO RETAIN POSSESSION OF THIS TOP SECRET REPORT WHICH IS THE DEPARTMENT'S COPY,

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

- 3 -

Transmit the following Teletype message to:

INASMUCH AS HE HAS NO SAFE PLACE TO KEEP IT. UNLESS ADVISED TO THE CONTRARY, THE NYO WILL RETAIN THIS EXHIBIT FOR THE GOVERNMENT ATTORNEYS. TOMORROW MORNING, AFTER MISS CONDON COMPLETES HER CROSS EXAMINATION, THE GOVERNMENT ATTORNEYS WILL PUT MISS MARGARET MC KINNEY, FOLEY'S SECRETARY, ON THE STAND TO TESTIFY THAT ON SEVERAL OCCASIONS COPLON REQUESTED THAT MC KINNEY GIVE COPLON THE KEYS TO FOLEY'S CABINET. AFTER THAT THE SURVEILLANCE AGENTS OF MARCH FOUR, FORTY NINE, WILL TESTIFY CONCERNING THEIR OBSERVATIONS ON THAT DATE.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M. Per _____



Federal Bureau of Investigation
United States Department of Justice

FD-71
(7-30-45)



IN REPLY, PLEASE REFER TO
FILE NO. _____

Dept 6
COMPLAINT FORM

Judith Coplan
Subject's Name and Aliases

Miss Jane Bowe

Name of Complainant
2763 Sedgwick Ave.

Address of Complainant
3 Pm 2/1/50

Telephone Number of Complainant

Address of Subject

Character of Case
Espionage

Date and Time Complaint Received

DESCRIPTION OF SUBJECT:

FACTS OF COMPLAINT: *Telephonically* Complainant advised that she & subject were fellow employees at Saks 5th Avenue, NYC, from the fall of 1942 until the spring of 1943. Subject worked from 2-6 P.M. and was attending college at this time. Subject advised complainant that her father & brother operated a toy company in Brooklyn at that time, but that she didn't work there as she expected to obtain a better job. Complainant was taken ill in 1943 and upon her return to work was advised that Judith had resigned because she was "getting a very fine job" after graduation from college in June, 1943.

ACTION RECOMMENDED BY AGENT:

Info *NY 7* *Info*

Information

2-3-50 - Interviewed by SA R. SHRODER & the writer. This woman is approx. 50 yrs. old and a "psycho." According to psycho file she has been calling office since Nov. 1947. Only thing she said in addition to what is written above is that Coplan is Communist because she "cake walks", which Bowe demonstrated.

Jennin FBI: NEW YORK, Jr.

Special Agent

Bailey 65-14932-875

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

February 7, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

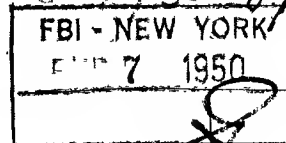
At 4:55 pm I spoke to Mr. H. B. Fletcher at the Bureau to advise him that Mr. Foley of the Department had completed his testimony. He was followed by Mrs. Rosson of the Department who testified regarding two conversations she had with COPLON wherein COPLON asked for access to Internal Security reports. Following the completion of Mrs. Rosson's testimony, Bureau stenographer Catherine Condon took the stand and testified on direct to the surveillance of March 4, 1949. She will resume the stand on cross on the morning of February 8.

Relative to the Department's copy of the top secret FBI report given to the judge today, the judge instructed that the government keep this report during the trial and that it be kept sealed in the envelope as the judge had sealed it. Mr. Whearty has indicated that he does not have a safe place to keep this report and I understand he will request that we keep the report during the trial. I advised Mr. Fletcher we were going to accede to his request unless the Bureau objected. Mr. Fletcher was also advised that the government is calling Margaret McKinney, Mr. Foley's stenographer in Washington, who will testify to conversations with COPLON wherein COPLON asked for Foley's keys to his cabinets.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932





United States Department of Justice
Federal Bureau of Investigation
New York - New York

February 7, 1950

MEMORANDUM

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCESSAULT
MR. P. T. L.
MR. SUPERVISOR
MR. KING
MR. TUCKY
MR. WATSON
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

This afternoon I received a call from Miss KAHN, TIME Magazine, who said that apropos of the COPLON case and the wire tapping angle, they had received a letter from a reader, which stated in effect that in 1941, prior to the war, the FBI convicted in one case more than twenty persons accused of espionage in behalf of Germany; that during the investigation the FBI not only used wire tapping, microphones, but coordinated it with a movie camera and actually made sound film; that these films and records were admitted in open court as evidence and subsequently were shown in news reels and in the movie "The House on 92nd Street."

Miss KAHN inquired if that was actually admitted in evidence, as indicated in the reader's letter, and if so, how it could be. I suggested to Miss Kahn that she make her inquiry of our Washington headquarters, as they would have the complete facts pertaining to a case of that scope and be in a better position to answer her inquiry. Miss Kahn indicated that she would probably do this.

At 3:55 p.m. I called Mr. J. J. McGuire of the Bureau and advised him of the above call from Miss Kahn and the possibility that she might call the Bureau; that I thought it best to refer her to the Bureau as our answer would probably be for publication. I stated that I presumed that the letter must be favorable to the Bureau.

EDWARD SCHEIDT
SAC

ES:gu

65-14932-877

FEB 7 1950

N Y C

ROUTED TO

FILE

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 8, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

At 1:30 pm on February 8, I called Mr. H. B. Fletcher of the Bureau to advise him that Miss Catherine T. Condon had completed her testimony this morning after having been on cross-examination for approximately one hour. I advised Mr. Fletcher that Miss Condon had made a very good witness. Following Miss Condon, Miss McKinney of the Department took the stand and completed her testimony by the close of court for the noon recess. SA Brewer Wilson will take the stand at 2:15 pm.

Mr. Fletcher was advised that POMERANTZ had called for the surveillance logs of March 4 and we had furnished the logs of the individual agents who will testify to the government attorneys.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

MR. SCHEIDT
MR. BELMONT
MR. WICKLIAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. J. J. CONNELLEY
MR. SAUL
MR. TOLSON
MR. BOARDMAN
MR. LADD
MR. CLEGG
MR. GLAVIN
MR. HARBO
MR. MOHR
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WEAVER
MR. WINTERROWD
TELE. ROOM
MR. HOLLOMAN
MISS GANDY

65-14932-878

FBI - NEW YORK
FBI FILED 1950
FEB 9 1950

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TROTT
MR. WALSH
MR. WOOD
PROPERTY CLERK
TRAINING UNIT

NEW YORK
FEBRUARY 8 1950

Transmit the following Teletype message to: BUREAU, WASHINGTON

JUDITH COPLON, ESPIONAGE DASH R. DURING THE MORNING SESSION OF COURT TODAY, STENOGRAPHER, CATHERINE T. CONDON, COMPLETED HER CROSS EXAMINATION, DURING WHICH TIME HER SURVEILLANCE NOTES FOR MARCH FOUR, FORTY NINE, WERE INTRODUCED INTO EVIDENCE. WHEN MISS CONDON LEFT THE STAND, POMERANTZ REQUESTED THAT THE GOVERNMENT PRODUCE THE SURVEILLANCE LOG FOR MARCH FOUR, FORTY NINE, AND THE COURT SO DIRECTED THE GOVERNMENT. MRS. MARGARET MC KINNEY, FOLEY'S SECRETARY, FOLLOWED MISS CONDON AND TESTIFIED CONCERNING AN INCIDENT IN FEBRUARY, FORTY NINE, WHEN COPLON REQUESTED OF MC KINNEY, FOLEY'S KEYS TO CABINETS IN HIS OFFICE CONTAINING INTERNAL SECURITY PAPERS. AFTER THE NOON RECESS, AGENT BREWER WILSON TOOK THE STAND AND BEFORE HE BEGAN HIS DIRECT TESTIMONY, POMERANTZ ASKED THE COURT TO INQUIRE OF THE GOVERNMENT WHETHER THE LOG FOR MARCH FOUR, FORTY NINE WAS AVAILABLE. MR. KELLEY ADVISED THE COURT THAT NO ONE LOG HAD BEEN PREPARED IN CONNECTION WITH THE SURVEILLANCE OF MARCH FOUR, BUT THAT INDIVIDUAL LOGS SETTING OUT THE OBSERVATIONS OF ONE OR MORE AGENTS, HAD BEEN PREPARED. AT THAT TIME, MR. KELLEY GAVE (2) POMERANTZ THE LOG PREPARED BY BREWER WILSON IN CONNECTION WITH HIS OBSERVATIONS ON MARCH FOUR. WILSON THEN TESTIFIED CONCERNING THE SURVEILLANCE OF THAT DATE, AND WAS UNDER CROSS EXAMINATION BY PALMER WHEN COURT ADJOURNED AT FOUR NAUGHT FIVE P.M. TODAY. WHILE WILSON WAS BEING CROSS EXAMINED, HIS SURVEILLANCE NOTES

cc 65-14939

TSM:JF
65-14932

Approved: CLM
Special Agent in Charge

Sent. 1058P M

Per JFM

65-14932-8798

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

- 2 -

Transmit the following Teletype message to:

FOR MARCH FOUR WERE INTRODUCED INTO EVIDENCE, BUT AS YET HIS LOG HAS NOT. PALMER ATTEMPTED TO CROSS EXAMINE WILSON CONCERNING THE INTERVIEW OF COPLON ON THE NIGHT OF MARCH FOUR, AND AFTER HE HAD ASKED A FEW QUESTIONS, KELLEY OBJECTED ON THE GROUNDS THAT IT WAS BEYOND THE SCOPE OF WILSON'S DIRECT TESTIMONY. THE JUDGE TOLD PALMER THAT HE WAS GOING TOO FAR AFIELD IN HIS CROSS EXAMINATION AND WHEN PALMER SAID THAT HE WANTED TO QUESTION WILSON CONCERNING WILSON'S PARTICIPATION IN THE INTERVIEW OF COPLON, JUDGE RYAN SAID THAT HE COULD DO SO AT A LATER TIME, BUT THAT THIS WAS NOT THE PROPER TIME. PALMER ALSO STARTED QUESTIONING WILSON CONCERNING WILSON'S PARTICIPATION IN THE SURVEILLANCES OF COPLON ON FEBRUARY NINETEEN, TWENTY ONE AND TWENTY TWO, FORTY NINE, AND ASKED THAT THE LOGS FOR THOSE DAYS BE PRODUCED. THE JUDGE DIRECTED THE GOVERNMENT TO PRODUCE THESE LOGS, BUT WOULD NOT ALLOW PALMER TO EXTENSIVELY CROSS EXAMINE WILSON ON THESE THREE (3) SURVEILLANCES ON THE GROUND THAT IT WAS BEYOND THE SCOPE OF THE DIRECT EXAMINATION AND THAT HE COULD RECALL WILSON AT AN APPROPRIATE TIME TO GO INTO THAT MATTER. IT IS THE OPINION OF MR. KELLEY THAT THE JUDGE IS GOING TO REQUIRE PALMER TO QUESTION AGENTS CONCERNING THESE SURVEILLANCES, OTHER THAN THE THREE PERTINENT ONES, ONLY AS DEFENSE WITNESSES, WHICH PALMER WOULD NOT WANT TO DO. KELLEY IS GOING TO INSIST ON THIS AT A TIME WHEN WILSON LEAVES THE STAND AND THE SUBJECT MATTER OF HIS BEING RECALLED FOR THAT PURPOSE IS DISCUSSED. PALMER STATED THAT HE WANTED TO SPEND ABOUT ONE MORE HOUR WITH WILSON TOMORROW MORNING. AFTER THE JURY LEFT FOR THE DAY, BUT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

- 3 -

Transmit the following Teletype message to:

BEFORE THE JUDGE LEFT COURT, POMERANTZ REQUESTED THAT THE GOVERNMENT HAVE NATHAN LENVIN, A DEPARTMENTAL ATTORNEY, AVAILABLE, INASMUCH AS HE, POMERANTZ, WAS GOING TO USE LENVIN AS THE FIRST DEFENSE WITNESS. IN A CONVERSATION BETWEEN KELLEY AND POMERANTZ, THE LATTER ASKED KELLEY IF THE GOVERNMENT HAD ARRANGED TO HAVE AN INTERPRETER IN COURT. KELLEY SAID THAT HE HAD MADE NO SUCH ARRANGEMENTS, WHEREUPON POMERANTZ SAID THAT AN INTERPRETER WOULD BE NECESSARY AND WONDERED IF THE GOVERNMENT WERE GOING TO USE GINZBOURG, THE UNITED NATIONS INTERPRETER. KELLEY DID NOT COMMIT HIMSELF ON THAT. KELLEY ADVISED AGENT MILLER LATER THAT THIS WOULD SEEM TO INDICATE THAT GUBITCHEV MIGHT POSSIBLY TESTIFY.

SCHEIDT

Approved *ELK*

Special Agent in Charge

Sent _____

M

Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE New York, New York
February 9, 1950

Transmit the following Teletype message to: BUREAU..WASHINGTON FIELD..URGENT
JUDITH COPLON, ESPIONAGE R. LAST NIGHT SAAG R. P. WHEARTY TELEPHONED THE
NECESSARY INFORMATION TO THE DEPT. OF JUSTICE SO THAT DEPT. MAY DIRECT LETTER
TO WARREN AUSTIN OF UN, REQUESTING INFORMATION ON GUBITCHEV'S PAY CHECKS. THE
DEPT. WILL WRITE THIS LETTER. AGENT BREWER WILSON COMPLETED HIS TESTIMONY AND
WAS FOLLOWED BY AGENT JOHN F. MALLEY, BOTH OF WHOM TESTIFIED ON THE MARCH FOURTH
SURVEILLANCE. THE COURT DIRECTED BOTH OF THESE AGENTS TO REMAIN IN NYC SUBJECT
TO BEING RECALLED BY THE DEFENSE FOR EXAMINATION ABOUT EVENTS THAT TRANSPIRED
AFTER THE ARREST OF COPLON AND GUBITCHEV. WHILE MALLEY WAS ON THE STAND,
POMERANTZ ASKED MALLEY WHAT DAYS HE SURVEILLED GUBITCHEV OTHER THAN JANUARY
FOURTEEN, FIFTEEN, FEBRUARY EIGHTEEN AND MARCH FOURTH, FORTY NINE. WHEN
MALLEY STATED THAT HE SURVEILLED GUBITCHEV ON JANUARY SEVENTEEN, POMERANTZ
IMMEDIATELY ASKED THE GOVERNMENT TO PRODUCE THE LOGS BUT THE JUDGE DENIED THE
APPLICATION, BUT ADDED THAT POMERANTZ COULD ASK MALLEY QUESTIONS CONCERNING THE
JANUARY SEVENTEENTH SURVEILLANCE AND THEN COULD HAVE THE LOG PRODUCED FOR THE
COURT'S PERUSAL TO DETERMINE IF THERE WERE ANY DISCREPANCIES. POMERANTZ DID
NOT ASK ANY SUCH QUESTIONS OF MALLEY. WHEN COURT ADJOURNED AT FOUR P.M. TODAY,
AGENT MARTIN F. CAREY HAD ALMOST COMPLETED HIS DIRECT TESTIMONY CONCERNING THE
SURVEILLANCE OF MARCH FOURTH, FORTY NINE AND WILL COMPLETE HIS TESTIMONY TOMORROW
MORNING.

SCHEIDT

MR. SCHEIDT
MR. HINDS
MR. GOLDER
MR. POMERANTZ
MR. HUGHES
MR. KENNEDY
MR. LEVITS
MR. MARCHESSAULT
MR. NIGHT SUPERVISOR
MR. KING
MR. TROTT
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

CC - NY 65-14939

TSM:KD (#6)

65-14932 Approved: *Chap*
Special Agent in Charge

Sent 1020P M

Per *King*

65-14932-880

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 9, 1950

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVY
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WHELAN
MR. WILSON
MR. YERGEN
MR. ZIEGLER
MR. CLEGG
MR. GLAVIN
MR. HARBO
MR. MOHR
MR. PENNINGTON
MR. QUINN
MR. TOLSON
MR. WINTERROWD
MR. BELMONT
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WHELAN
MR. WILSON
MR. YERGEN
MR. ZIEGLER
MR. CLEGG
MR. GLAVIN
MR. HARBO
MR. MOHR
MR. PENNINGTON
MR. QUINN
MR. TOLSON
MR. WINTERROWD

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

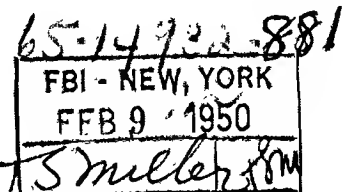
At 6:25 pm on February 8, I advised Mr. H. B. Fletcher of the Bureau that SA Brewer Wilson had been on the stand all afternoon and was still under cross-examination by PALMER. I advised that PALMER attempted to question Wilson on the surveillance of February 19, 1949 but the judge had indicated that this was not the proper time to question concerning such a surveillance which was not covered during direct examination. A teletype is being prepared reflecting any other developments including an indication that GUBITCHEV might take the stand.

It is noted that on February 7, I spoke to Assistant Director L. B. Nichols concerning the possibility that the press might want a photograph of Miss Condon. Mr. Nichols advised that there was no objection to her photograph being taken by the press as she left the building as was done in the case of Miss Manos. Miss Condon's photograph was taken by the press on February 7.

A. H. BELMONT
ASAC

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932





United States Department of Justice
Federal Bureau of Investigation



IN REPLY, PLEASE REFER TO

FILE NO. _____

February 3, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE GUBITCHEV;
ESPIONAGE - R

On February 1, 1950, Mr. TOM POWER of the U.S. Mission to the United Nations, Park Avenue, New York City, provided the following information concerning GUBITCHEV'S salary which he received from the U.N. Secretariat, New York City.

POWER stated that GUBITCHEV was paid on the following dates:

December 15, 1948 (double pay period)
January 12, 1949
January 26, 1949
February 9, 1949
February 23, 1949
March 9, 1949

Concerning the double pay period above, POWER indicated that the pay was twice the usual amount since the pay for the Christmas period was also included.

The check for GUBITCHEV'S salary which was made available on March 9, 1949, was delivered to GUBITCHEV at the Federal House of Detention. In addition to the above, GUBITCHEV'S wife received a check on March 19, 1949, for his "installation allowance" which constituted a per diem payment for employees' dependents and which was for a period of 60 days after their arrival in New York City. As will be noted, this payment was apparently sometime in arrears.

Mr. POWER indicated that the dates mentioned above, with the exception of the March 9, 1949 payment which POWER witnessed in person, constituted the regular dates on which all members of the U.N. Secretariat were paid. POWER did not check the GUBITCHEV personnel file since to do so he would have had to make an official request. He stated that if this specific information is still desired, he will make such a request at any time.

POWER also stated that it was his understanding which, however, he had not verified from GUBITCHEV'S personnel file, that the latter net approximately \$125.00 per week.

MARTIN F. CAREY, SA

65-14932-882

65-14932
65-14939

MFC:IM

Handwritten: Kelly, advised advised
Power Advised that an examination of Gubitchev's file should be arranged by means of a written request. Warren Austin, US Mission who should request the contents of the file from the Secretariat.

15 FEB 13 1950
FEB 13 1950

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 9, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. HENRY
MR. LLOYD
MR. MURPHY
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WILSON
MR. YERGEN
MR. ZIEGLER
MR. CLERK
TRAINING UNIT

At 2:10 pm on February 9, I called Mr. H. B. Fletcher of the Bureau to advise him of developments in the trial of instant case. SA Brewer Wilson completed his testimony on the surveillance of March 4, 1949, after which SA John F. Malley took the stand. He completed his direct examination just before the noon recess and will be on cross-examination starting at 2:15 pm.

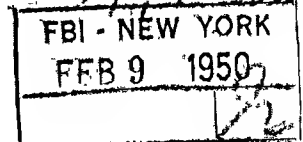
I advised Mr. Fletcher that during the morning recess, Judge Ryan got into a conversation with government attorney Kelley about whether the national defense nature of the documents taken from COPLON was a matter of fact or something to be decided on by the jury. It was Agent Miller's recollection that in Washington Judge Reeves ruled that the documents did pertain to the national defense. Judge Ryan, however, feels this is a matter for the jury to decide. Judge Ryan mentioned to Mr. Kelley that to make this case stronger, the government might want to have someone from the Bureau, such as Mr. Hoover, or someone from the Department, such as Peyton Ford, testify that these do pertain to the national defense.

Mr. Fletcher was advised that I have not as yet discussed this with the government attorneys and that my immediate reaction was that it would be undesirable for the Director to take the stand because it would open him up to a line of questioning by the defense on wire tapping, etc. I advised Mr. Fletcher that, in talking to the government attorneys, I was going to adopt the policy that these reports and the items taken from COPLON at the time of her arrest were in the possession of the Department and that the Department is in an excellent position to testify concerning the nature of these items; that if it is necessary for anyone to so testify, Mr. Ford or Mr. McInerney or another official should handle it. Mr. Fletcher was advised that unless advised to the contrary by the Bureau, I would adopt the above attitude. Mr. Fletcher advised he would call me back on this matter.

A. H. BELMONT
ASAC

CC * 65-14939 (Gubitchev)

AHB:CTC
65-14932





United States Department of Justice
Federal Bureau of Investigation



IN REPLY, PLEASE REFER TO

FILE NO. _____

February 8, 1950

MEMO

RE: JUDITH COPLON.
ESPIONAGE - R.

Sergeant GEORGE CONNOLLY of the Federal Court House Building, advised that an unknown newspaperman had told him that there was a person who sat in on the trial almost every day who would wait for the witnesses to appear in the hall and try to overhear what they were saying. Sergeant CONNOLLY advised that the newspaperman said the person's actions were so obvious he thought they should be reported.

Guard VINCENT LAURIA, Badge #335, advised that this unknown person would remain in the hall at the end of the trial each day and wait for the defendants to leave the building and would then follow after them. LAURIA did not know whether this person was following COPLON and PALMER or GUBITCHEV and POMERANTZ.

LAURIA described the unknown person as being 5'8" in height, about 170 lbs, in his late thirties, thinning hair, wearing gray suit and brown topcoat and resembles GUBITCHEV. This person's identity could not be determined inasmuch as he did not enter the court room on a pass but waited in line each morning.

ROBERT L. STEVENSON, SA

RLS:IM
65-14932

65-14932-884
F. B. I.
FEB 8 1950
N. Y. C.

Stevenson *RLS*

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

New York, N.Y.
Feb. 10, 1950
DIRECTOR
SAC, WASHINGTON
FIELD - URGENT
MR. TUCKER
MR. WALKER
MR. WOHL
MR. KING
MR. MARCHESSAULT
MR. LEVVIS
MR. KENNEDY
MR. HUGHES
MR. GRANVILLE
MR. COLLIER
MR. WHELAN
MR. BELMONT
MR. SCHEIDT

Transmit the following Teletype message to: DIRECTOR and SAC, WASHINGTON
JUDITH COPLON, ESPIONAGE R. IN A CONFERENCE IN CHAMBERS BEFORE
COURT BEGAN TODAY JUDGE RYAN WANTED TO KNOW HOW MANY MORE
WITNESSES THE GOVERNMENT WOULD PRODUCE. HE WAS ADVISED THAT
THERE WOULD BE AROUND TEN. THE JUDGE RULED THAT AS PART OF
THE GOVERNMENT'S CASE PALMER OR POMERANTZ MAY RECALL ANY OF
THE AGENTS WHO HAVE TESTIFIED AND BE CROSS EXAMINED CONCERNING
THE SURVEILLANCE OF EITHER OF THE DEFENDANTS ON ANY DAYS OTHER
THAN THE PERTINENT DATES OF THE TESTIMONY. PALMER STATED THAT
HE WANTED TO CALL PEOPLE LIKE FLETCHER, BELMONT AND PETER BROWN
SO THAT HE COULD EXAMINE THEM CONCERNING WIRE TAPS AS PART OF
THE GOVERNMENT CASE. JUDGE RYAN SAID HE DID NOT SEE HOW THAT
WAS MATERIAL TO THE ISSUES OF THE CASE. THE JUDGE STATED THAT
PALMER WOULD BE ALLOWED TO CROSS EXAMINE ANY OF THE GOVERNMENT
WITNESSES CONCERNING THEIR KNOWLEDGE OF WIRE TAPS ON THE QUESTION
OF CREDIBILITY. HE ADDED THAT HE COULD NOT OF COURSE PREVENT
PALMER OR POMERANTZ FROM SUBPOENING ANY WITNESS HE DESIRED AS A
DEFENSE WITNESS BUT HE WOULD ABSOLUTELY RESTRICT THE QUESTIONING
TO ISSUES MATERIAL TO THE CASE. THE JUDGE ALSO STATED THAT
PALMER OR POMERANTZ COULD SUBPOENA GOVERNMENT WITNESSES IN CON-
NECTION WITH THE MICROPHONE RECORDS AND SPECIFICALLY MENTIONED
AGENT BEDFORD WHO WOULD BE QUESTIONED CONCERNING HIS MAKING OF THE

TSM:gu
65-14932

Approved: _____
Special Agent in Charge

cc: 65-14939

Sent

206 P.M.

Per

65-14932-886 d

15-001
PAGE 2.

DISCS AND COULD PLAY THE DISCS BUT THAT THE MERE SUBPOENAING OF BELMONT, FLETCHER, ETC. FOR THE PURPOSE OF QUESTIONING THEIR KNOWLEDGE OF WIRE TAPS WAS NOT MATERIAL... THE JUDGE ALSO TOLD PALMER AND POMERANTZ THAT WITH RELATION TO THEIR PORPOSED MOTIONS FOR A DIRECTED VERDICT WHEN THE GOVERNMENT RESTS HE DESIRED THAT THEY MAKE THEIR ARGUMENTS FOR SUCH QUOTE SHORT AND SWEET"UNQUOTE AND WHILE HE HAS NOT SEEN THE DOCUMENTS FOUND ON CO PLON AT THE TIME OF HER ARREST HE HAS HEARD ENOUGH OF THE GOVERNMENT'S CASE IN CONNECTION WITH THE PRE TRIAL HEARINGS THAT HE IS GOING TO OVERRULE THEIR MOTIONS. POMERANTZ CONFIDENTIALLY TOLD KELLEY THAT GUBITCHEV WAS GOING TO TAKE THE STAND AND TESTIFY BUT THAT HE DID NOT WANT THIS INFORMATION TO GET TO THE PRESS. DURING THIS MORNING'S SESSION AGENT CAREY COMPLETED HIS DIRECT EXAMINATION AND IS PRESENTLY BEING CROSS EXAMINED BY POMERANTZ. COURT WILL RECONVENE AFTER LUNCH AT TWO PM AND WILL ADJOURN AT THREE THIRTY PM TODAY.

SCHEIDT

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

New York, New York
February 10, 1950

Transmit the following Teletype message to: BUREAU AND WAS INGTON FIELDURGENT

JUDITH COPLON, ESPIONAGE - R. / AGENT MARTIN CAREY COMPLETED HIS TESTIMONY WHEN COURT RECESSED AT THREE TWENTY-FIVE PM TODAY. AFTER JURY LEFT, POMERANTZ ADDRESSED THE COURT AND STATED THAT HE WAS WILLING TO CONCEDE TO ALL THE CUMULATIVE SURVEILLANCE TESTIMONY AND ADDED THAT IT WAS DRAGGING THE TRIAL OUT UNNECESSARILY. THIS REMARK WAS OBVIOUSLY AIMED AT PALMER'S LENGTHY CROSS EXAMINATION OF THE AGENTS TESTIFYING ABOUT THE SURVEILLANCES. PALMER BECAME VERY ANGRY AND BEGAN AN ARGUMENT WITH POMERANTZ WHICH CONTINUED EVEN AFTER THE JUDGE LEFT. PALMER TOLD THE JUDGE HE WOULD NOT CONCEDE TO SUCH TESTIMONY AND THEREFORE THE TESTIMONY WILL CONTINUE AS PLANNED. COURT WILL RECONVENE TEN THIRTY AM, TUESDAY, FEBRUARY THIRTEEN, WITH ROBERT J. WIRTH TESTIFYING ABOUT MARCH FOUR, FORTYNINE.

SCHEIDT

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

cc: 65-14939

TSM:RN
65-14932
Approved: Chap
Special Agent in Charge

Sent 1225 PM

Per REST

65-14932-886

February 10, 1950

Memo

Re: Judith Coplon

Espionage - R

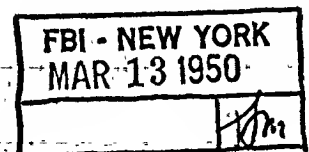
just Ref: Memo of S.A. Robert H. Stevenson Jr.
dated 2/8/50

At 4¹⁰PM, February 9, 1950, unknown individual, subsequently identified as Philip A. Gore, was observed leaving the Coplon - Gubitcher trial. Gore took the elevator to the 15th floor of the Federal Court House and entered Room 1506

At 4³⁵PM Gore took elevator to the first floor and the writer and S.A. Edward Morgan surveilled Gore. Gore proceeded on foot to the N.Y. County Law Association 14 Vesey Street, N.Y.C.

At 4⁵⁵PM subject entered 14 Vesey Street

At 5⁵⁵PM subject emerged from 14 Vesey Street and proceeded by foot to Horn and Hardart on Park Row.



65-14932-886A

65-14932

At 6³⁰ PM Gore proceeded on foot to BMT subway at Broadway where he took the 4th Ave local to 36th Street. At 36th Street Gore changed for Culver local and proceeded to Ave N.

At 7¹⁵ PM Gore got off train at Ave N Brooklyn and proceeded North to East 3rd Street thence South to 1571 East 3rd Street where he entered the two story building.

Surveillance discontinued at 10⁰⁰ PM and the subject was not observed.

On February 10, 1950 Mr Fred F. Wangelin, postman, Route 4, Midwood Station Brooklyn advised Philip A. Gore resided with his mother at 1571 East 3rd Street. Wangelin said that a Mr & Mrs Fink recently moved to the same address, from California.

Mr Charles Boyd, New York City Lawyers Association 14 Vesey Street N.Y.C. made available the sign-in sheet of February 9, 1950. ~~It~~ ^{Gore} ~~was~~

the name of Philip A Gore. A check of the records by Mr. Boyd revealed Gore was admitted to the New York State Bar in 1927 and his business address was listed as 295 Madison Ave N.Y.C.

A check of the building indices at 295 Madison Ave revealed Gore was affiliated with the following Attorneys: Benjamin Seligman, Edward F. Seligman, Ethel Shames, Louis Blou and Rita Blume, Room 1500

It is to be noted Gore's business address is in the same building of Abraham L. Pomerantz who is on the 36th floor.

Robert L. Stevenson Jr.
S.R.

~~MR. SCHEIDT~~
~~MR. BELMONT~~
~~MR. WELLS~~
~~MR. COLLIER~~
~~MR. GRANVILLE~~
~~MR. HUGHES~~
~~MR. KENNEDY~~
~~MRS. LUTHER~~
~~MR. GIBBS~~
60
~~MR. TOLSON~~
~~MR. BOARDMAN~~
~~MR. NEASE~~
~~MR. ROSEN~~
~~MR. TROTTER~~
~~MR. WATKINS~~
~~MR. WOOD~~
~~MR. YERGEN~~
~~MR. ZANDER~~
~~MR. ALLEN~~
~~MR. BROWN~~
~~MR. CLEGG~~
~~MR. GLAVIN~~
~~MR. HARBO~~
~~MR. JONES~~
~~MR. LADD~~
~~MR. NICHOLS~~
~~MR. ROSS~~
~~MR. TRACY~~
~~MR. WINTERROWD~~
~~MR. MOHR~~
~~MR. SULLIVAN~~
~~MR. TERRY~~
~~MR. WARD~~
~~MR. WHITELY~~
~~MR. WILSON~~
~~MR. WYATT~~
~~MR. ZIEGLER~~
~~MR. BAKER~~
~~MR. BEAVER~~
~~MR. BLUM~~
~~MR. BOGGS~~
~~MR. BRADLEY~~
~~MR. BRANTLY~~
~~MR. BUREAU~~
~~MR. CAMPBELL~~
~~MR. CARROLL~~
~~MR. CHAPMAN~~
~~MR. CLARK~~
~~MR. COOPER~~
~~MR. DAVIS~~
~~MR. DELOACH~~
~~MR. FARMER~~
~~MR. FEENEY~~
~~MR. FISKE~~
~~MR. FLANNERY~~
~~MR. GALE~~
~~MR. GORDON~~
~~MR. GRAY~~
~~MR. GREENE~~
~~MR. GUINN~~
~~MR. HALL~~
~~MR. HAMILTON~~
~~MR. HARRIS~~
~~MR. HECHT~~
~~MR. HOLLOMAN~~
~~MR. HOWARD~~
~~MR. INGRAM~~
~~MR. IRVING~~
~~MR. JACKSON~~
~~MR. JOHNSON~~
~~MR. KELLEY~~
~~MR. KING~~
~~MR. LAUGHLIN~~
~~MR. LEWIS~~
~~MR. LLOYD~~
~~MR. LYONS~~
~~MR. MACDONALD~~
~~MR. MADOLE~~
~~MR. MALONE~~
~~MR. MARSH~~
~~MR. MARTIN~~
~~MR. MATTHEWS~~
~~MR. MCNEELY~~
~~MR. MEADE~~
~~MR. MILLER~~
~~MR. MINNICK~~
~~MR. MORRIS~~
~~MR. MURPHY~~
~~MR. NELSON~~
~~MR. O'CONNOR~~
~~MR. O'DONOGHUE~~
~~MR. O'NEILL~~
~~MR. PETERSON~~
~~MR. QUINN~~
~~MR. RABALAIS~~
~~MR. REAGAN~~
~~MR. RICE~~
~~MR. RIGGS~~
~~MR. ROBERTS~~
~~MR. ROBINSON~~
~~MR. ROSE~~
~~MR. SAMPSON~~
~~MR. SANDERS~~
~~MR. SCHLESINGER~~
~~MR. SEARCY~~
~~MR. SHAW~~
~~MR. SIMPSON~~
~~MR. SKINNER~~
~~MR. SPENCER~~
~~MR. STEVENSON~~
~~MR. SWANSON~~
~~MR. TAMM~~
~~MR. TATE~~
~~MR. THOMAS~~
~~MR. THOMPSON~~
~~MR. TUCKER~~
~~MR. TURNER~~
~~MR. VAUGHAN~~
~~MR. VANCE~~
~~MR. WALSH~~
~~MR. WARREN~~
~~MR. WATSON~~
~~MR. WEISS~~
~~MR. WELLS~~
~~MR. WENDT~~
~~MR. WHEELER~~
~~MR. WHITE~~
~~MR. WICK~~
~~MR. WILCOX~~
~~MR. WILSON~~
~~MR. WINSTON~~
~~MR. WOOLACOTT~~
~~MR. WYATT~~
~~MR. YERGEN~~
~~MR. ZANDER~~
~~MR. ZIEGLER~~

MEMO

On the afternoon of February 9, I called Mr. H. B. Fletcher of the Bureau to advise him that SA Brewer Wilson had completed his testimony and, upon the request of defense attorney PALMER, was instructed to remain available for recall concerning events transpiring subsequent to the arrest of COPLON and GUBITCHEV. Agent Malley completed his testimony and likewise was instructed to remain on call. SA Martin Carey has nearly completed his direct testimony and will resume the stand in the morning.

Mr. Fletcher was advised that last night Mr. Whearty called the Department and furnished the necessary facts in order that the Department could prepare a letter to Warren Austin to secure the information concerning payroll payments to GUBITCHEV. The Department will prepare this letter. With respect to my memorandum of February 9 regarding the suggestion that Mr. Hoover or Mr. Peyton Ford appear as an expert witness to testify that the documents taken from COPLON's purse concerned the national defense, Mr. Fletcher was advised that Mr. Whearty brought this subject up this afternoon. Whearty is of the opinion that no one from the Bureau should take the stand in this respect as the witness will be open to cross-examination on wire tapping, destruction of records, etc. Whearty suggested that the same would be true of the Attorney General or Peyton Ford. He advised that some consideration might be given to an outside witness such as General Donovan, Admiral Hickenlooper or perhaps General Carroll of OSI. Nothing definite was decided on and they were merely casting around for an appropriate solution to the problem.

I pointed out that logically a representative of the Department of Justice would be the one to testify in this respect as the documents in question were in the possession of the Department and the Department is charged with the responsibility along these lines, and the testimony of a witness from the Department would carry the authority and weight of the Department itself behind his testimony rather than as an individual expert. Mr. Whearty thought perhaps Mr. Jim McInerney would be appropriate. Mr. Whearty advised this would be taken up with Mr. Peyton Ford over the weekend and some conclusion would be reached; that it was a matter for the Department to decide rather than he and Mr. Kelley.

ca - 65-14939 (Gubitchev)
AHB:CTC
65-14932

A. H. BELMONT
ASAC 65-1

ELMONT
65-14233-88
FBI - NEW YORK
FFB 10 1980

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 13, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

MR. SCHEIDT	
MR. BELMONT	
MR. WILLIAMS	
MR. COLLINS	
MR. GRANVILLE	
MR. HUNTER	
MR. LADD	
MR. NICHOLS	
MR. ROSEN	
MR. TRACY	
MR. WATSON	
MR. WHELAN	
MR. WYATT	
MR. ZIEGLER	
MR. CLEGG	
MR. GLAVIN	
MR. HARBO	
MR. MOHR	
MR. PENNINGTON	
MR. QUINN	
MR. TOLSON	
MR. WINTERROWD	
SAULT	
ESOR	

At 1:05 pm on February 10, I advised Mr. Leo Laughlin of the Bureau that at an in-chambers conference before court, Kelley advised the judge that he had approximately 10 more witnesses for the government.

PALMER told the judge that he wanted to recall some of the previous witnesses who were FBI agents to question them concerning surveillances of COPLON on days other than January 14, 15, February 18 and March 4, 1949. The judge stated that he would allow PALMER to do this as part of the government's case.

PALMER stated he also wanted to call agents such as Mr. Fletcher and Mr. Belmont of the Bureau and Mr. Peter Brown of the Department to question them concerning wire taps, etc. as part of the government's case. The judge said he did not see the materiality in such testimony and would not allow PALMER to call them as part of the government's case and that he was allowing the recall of certain government witnesses for questioning on wire tapping insofar as it affects their credibility. He said that he could not prevent PALMER from subpoenaing Mr. Fletcher, etc. but that he would limit the questions to those which were material to the issues of the case.

The judge stated that as part of the defense PALMER could subpoena the agents who made the records from the microphone in COPLON's office and ask questions concerning how they cut the records and have the records played before the jury. The judge told PALMER and POMERANTZ that when they made their arguments in furtherance of their contemplated motions for a directed verdict when the government rests, he wanted such arguments "short and sweet" because, although he has not seen the documents which were found in COPLON's purse when she was arrested, he has heard enough of the government's case, both during the trial and during the pre-trial hearings, that he will deny such motions for a directed verdict.

POMERANTZ confidentially told Kelley that GUBITCHEV was going to testify on his behalf in this trial but had not made it public because POMERANTZ did not want the press to know about it.

I advised Mr. Laughlin that court would reconvene at 2:00 pm and would adjourn at 3:30 pm today (2/10/50). He was also advised that there would be no court on Monday, 2/13/50.

cc - 65-14939 (Gubitchev)
TSM:CTC
65-14932

T. S. MILLER
SA

65-14932-888
FBI - NEW YORK
FEB 13 1950
Miller 10M

**Federal Bureau of Investigation
United States Department of Justice**

New York, New York

Feb. 13, 1950

MEMO

Re: JUDITH COPLON
ESPIONAGE - R

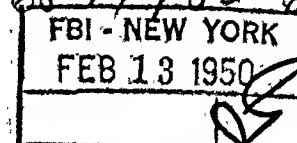
I called Mr. Leo Laughlin of the Bureau at 4:30 P.M., 2/10/50, and advised him that the afternoon session of instant trial ended at 3:30 P. M.; that SA Martin F. Carey had completed his testimony and SA R. J. Wirth will take the stand at 10:30 A. M., Tuesday, 2/14/50. I told him that at the end of today's testimony, when the Jury had gone out, POMERANTZ said he was willing to concede to all of the government's cumulative evidence as the trial was dragging along. PALMER objected to the remark and this started a big argument between POMERANTZ and PALMER. POMERANTZ' remark was evidently aimed at PALMER's lengthy cross-examination of each witness.

I explained to Mr. Laughlin that, with regard to the letter from MALIK to TRYGVE LIE, OSCAR SCHACHTNER, Senior Legal Counsellor, UN Secretariat, and AL BENDER of the U. S. Mission to the UN, would review the transcript of the trial both in New York and Washington, 2/11/50 and that the United Nations Secretariat would, according to TOM POWER, our liaison with the U. S. Mission, prepare the reply. I explained to Mr. Laughlin that, unless the Bureau instructs to the contrary, we would make no attempt to obtain a copy of the UN reply as it would in all probability necessitate contact with BYRON PRICE.

ROBERT R. GRANVILLE, SA

RRG:MFB
65-14932

CC:65-14939



FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
FEB. 15, 1950

Transmit the following Teletype message to: BUREAU AND WASHINGTON FIELD
JUDITH COPLON, ESPIONAGE R. DURING THE MORNING SESSION OF COURT,
PALMER CROSS EXAMINED SA MURPHY AND FINISHED WHEN COURT RECESSED FOR
LUNCH AT TWELVE FORTY FIVE PM. COURT RECONVENES AT TWO PM, AT WHICH
TIME POMERANTZ WILL COMMENCE CROSS EXAMINATION OF MURPHY. MURPHY
WILL BE FOLLOWED BY SA DANIEL F. GARDE, WHO WILL TESTIFY ABOUT
MARCH FOURTH, FORTY NINE.

SCHEIDT

TSM:MFB
65-14932

CC: 65-14939

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

Approved: *ES*

Special Agent in Charge

Sent *3:50 P*Per *DB*

65-14932-890

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.

FEB. 14, 1950

Transmit the following Teletype message to: BUREAU AND WASHINGTON FIELD - URGENT
JUDITH COPLON, ESPIONAGE R. DURING THE MORNING SESSION, SA R. J. WIRTH
COMPLETED HIS DIRECT TESTIMONY AND WAS CROSS EXAMINED BY BOTH PALMER
AND POMERANTZ AND WAS EXCUSED FROM THE STAND AT TWELVE FIFTY PM. BOTH
PALMER AND POMERANTZ CROSS EXAMINED HIM IN A LIMITED WAY CONCERNING
HIS PARTICIPATION IN THE REVIEW OF GUBITCHEV TELEPHONE TAP MATERIAL
AND THE DESTRUCTION OF DISKS AND MONITORS SUMMARIES. AT TWO PM,
SA T. J. ZOELLER WILL TESTIFY CONCERNING HIS PARTICIPATION IN THE
SURVEILLANCE. COURT WILL ADJOURN AT FOUR PM TODAY. NO DEVELOPMENT
OF INTEREST OCCURRED DURING THE MORNING SESSION.

SCHEIDT

TSM:MFB
65-14932

CC: 65-14939

RRS

Approved: _____

Special Agent in Charge

Sent _____

37P 1 M

Per _____

NB

65-14932-891

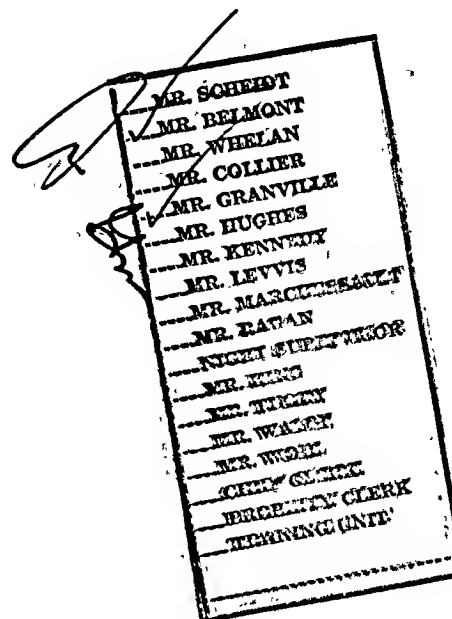
FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE New York, New York
February 14, 1950

Transmit the following Teletype message to: BUREAU.. WASHINGTON FIELD...URGENT
JUDITH COPLON, ESPIONAGE R. DURING AFTERNOON SESSION OF COURT, SA THOMAS
ZOEHLER COMPLETED HIS TESTIMONY ON BOTH DIRECT AND CROSS EXAMINATION ABOUT
HIS OBSERVANCES ON MARCH FOURTH. SA J. R. MURPHY HAS COMPLETED HIS DIRECT
TESTIMONY AND WAS BEING CROSS EXAMINED BY PALMER WHEN COURT RECESSED AT FOUR
P.M. TODAY. COURT WILL RESUME AT TEN THIRTY A.M. TOMORROW.

SCHEIDT

CC - NY 65-14939



TSM:KD (#6)
65-14932

Approved: _____

Special Agent in Charge

Sent 11-18P M

Per *RC*

65-14932-892

New York 7, New York

February 14, 1950

~~CONFIDENTIAL~~ (U)

Director, FBI

Att: Mr. H. B. Fletcher

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

Dear Sir:


Re telephone call from ASAC A. H. Belmont of this office to Mr. H. B. Fletcher of the Bureau this date.

Attached are two photostatic copies of the Department's opinion relative to proposed rebuttal testimony of HEDE MASSING and two photostats of a memorandum containing information furnished by HEDE MASSING relative to instructions received by her in connection with her espionage work.

It is noted that the Department's opinion deals also with Special Agents of the FBI as possible witnesses and that the question of possible testimony by HAROLD SHAPIRO is also discussed. The possibility of Special Agents testifying under the conditions set forth in the Department's opinion has never been discussed with Mr. Whearty or Mr. Kelley. It is the opinion of this office that Special Agents would not be qualified to so testify.

The New York office will await Bureau instructions before acquainting attorneys Kelley and Whearty with the results of the interview with HEDE MASSING or attempting to arrange a meeting between her and the attorneys.

Very truly yours,


EDWARD SCHEIDT
SAC

encs.-4

cc - 65-14939 (Gubitchev)

AHB:CTC
65-14932

65-14932-893

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 14, 1950

MEMO

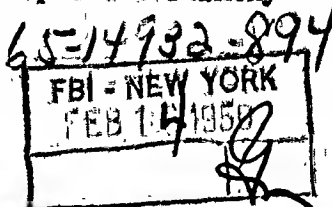
RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

During the noon recess on February 14, I advised Mr. H. B. Fletcher at the Bureau that SA Robert Wirth had testified on direct concerning the March 4th surveillance and had been cross-examined by PALMER and POMERANTZ and completed his testimony. The defense attorneys questioned Wirth concerning his handling of recordings on the GUBITCHEV wire tap and concerning his knowledge of the destruction of the recordings, monitors' summaries, etc. SAs Zoeller and Murphy will testify next. SA J. J. Ward, now assigned to the Bureau, should come to New York in readiness for testimony on the morning of February 15. Mr. Fletcher said Ward would be sent up.

Mr. Fletcher was advised that Mr. Kelley had said that the Department had considered the desirability of having some sort of an expert testify as to the national defense nature of the reports represented by the excerpts in COPLON's purse but has come to the decision that such testimony would not be desirable and the documents will stand on their own; that is, during the trial, Kelley and Whearty will bring out the nature of the documents through questioning and the jury will have a sufficient picture to realize that they do pertain to national defense. Mr. Fletcher advised that the Department had already informed the Bureau of this decision.

Mr. Fletcher was advised that Mr. Whearty had made available to us a copy of the brief showing the opinion of the research men at the Department concerning the possibility of using HEDE MASSING and others of her ilk as rebuttal witnesses. This brief consisted of two parts, the first a general discussion of the admissibility of such witnesses, and the second a discussion of such witnesses as might be available. In the latter category, the first part discussed the possibility of using FBI agents who worked espionage cases to testify concerning their knowledge of instructions given to espionage agents. It was indicated that agents might be used for this purpose if they could so testify. I pointed out to Mr. Fletcher that we have no agents who could so testify. The second group mentioned was former spies such as HEDE MASSING. The opinion expressed was that such persons could be utilized if they could testify to general instructions or instructions applied generally by the Soviets rather than instructions given specifically to them as individuals. I advised Mr. Fletcher we were going over HEDE MASSING's statement to see whether she could be utilized under these conditions. Mr. Fletcher requested that we send a copy of this opinion to the Bureau in order that the Bureau could consider it before we discuss MASSING's proposed testimony.

cc - 65-14939 (Gubitchev)
AHB:CTC
65-14932



MR. SCHMIDT
MR. BELMONT
MR. WHELAN
MR. CLEGG
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. HARBO
MR. MOHR
MR. WINTERROWD
TELE. ROOM
MR. HOLLOMAN
MISS GANDY

MEMO

NY 65-14932

February 14, 1950

with Mr. Kelley and Mr. Whearty. A photostatic copy of the opinion is being sent to the Bureau today, together with a copy of the memorandum reflecting what HEDE MASSING can testify to. No discussion should be had with Mr. Kelley or Mr. Whearty regarding MASSING until the Bureau authorizes such a discussion.

The final section discussed in this opinion pertained to HAROLD SHAPIRO as a possible rebuttal witness. The opinion pointed out that SHAPIRO might claim privilege in view of the fact that his testimony might incriminate him under the Mann Act. Therefore, while his testimony would be admissible, unless the government could be sure he would not claim privilege, it would be better for him to be produced as a witness of the court for the court to question to shed any light on claims made by the defense. In this way, any privilege which might accrue to the government through his use as a government witness would be avoided.

A. H. BELMONT
ASAC

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

Feb. 15, 1950

MEMO

Re: JUDITH COPLON
ESPIONAGE - R

During the morning session of court, Palmer cross-examined SA Murphy and finished when court recessed for lunch at 12:45 PM. Court reconvenes at 2:00 P. M., at which time POMERANTZ will commence cross examination of Murphy. Murphy will be followed by SA Daniel F. Garde, who will testify about 3/4/49.

The above information was furnished to Mr. F. J. Baumgardner at the Bureau.

ROBERT R. GRANVILLE, SA

RRG:MFB
65-14932

CC: 65-14939

MR. SCHEIDT
MR. BELMONT
MR. VEEHAN
MR. COCHRAN
MR. GRANVILLE
MR. PIERCE
MR. LADD
MR. CLEGG
MR. TRACY
MR. GALE
MR. ROSEN
MR. WATSON
MR. WOLF
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

65-14932-895

FBI - NEW YORK
FEB 15 1950

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 15, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R.

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLEMAN
MR. GRANVILLE
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. HARBO
MR. MOHR
MR. WOOD
MR. WOLFE
MR. GALE
MR. NEASE
MR. BROWN
MR. GIBSON
MR. HENRICH
MR. JONES
MR. KATZ
MR. LEVY
MR. MANN
MR. MILLER
MR. ROY
MR. TOLSON
MR. WATSON
MR. WEAVER
MR. WYATT
MR. ZIEGLER
MR. CLERK
MR. PROPERTY CLERK
MR. TRAINING UNIT

Mr. H. B. Fletcher of the Bureau called at 2:25 pm today and said that the Bureau desires that we immediately examine the Department's copies of all reports that were introduced in evidence in Washington as a result of the data-slip information in COPLON's purse to determine whether there is any information on these reports indicating the confidential character of the reports. He said, for example, it was the Bureau's belief that on the report on ALEXANDER, there is a statement over the synopsis that this report was confidential. He said that there should also be on each of those reports a rubber stamp indicating that this was the property of the FBI and possibly words to the effect that they were confidential. He said that the exact wording on each of these reports should be obtained and the Bureau called back immediately.

E. R. GRANVILLE
Supervisor

cc - 65-14939 (Gubitchev)

*Rec. received
2-16-50
Q*

RRG:CTC
65-14932

Sm

65-14932-896

FBI - NEW
FEB 15 1950

Q

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
FEBRUARY 15, 1950

Transmit the following Teletype message to: BUREAU
WASHINGTON FIELD URGENT

JUDITH COPLON, ESPIONAGE - R. DURING AFTERNOON SESSION OF COURT TODAY POMERANTZ COMPLETED CROSS EXAMINING AGENT MURPHY. AGENT D. F. GARDE COMPLETED HIS DIRECT TESTIMONY CONCERNING THE SURVEILLANCE OF MARCH FOUR AND WAS BEING CROSS EXAMINED BY PALMER WHEN COURT ADJOURNED AT FOUR PM TODAY. COURT CONVENES AT TEN AM TOMORROW AT WHICH TIME THE CROSS EXAMINATION OF GARDE WILL BE CONTINUES. GARDE WILL BE FOLLOWED ON THE STAND BY AGENTS J. J. WARD, E. F. MC CARTHY, R. R. GRANVILLE, AND T. S. MILLER. NO COURT WILL BE HELD FRIDAY, FEBRUARY SEVENTEEN.

SCHEIDT

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVY
MR. HARTNESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUGBY
MR. WALSH
MR. WOOL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

CC 65-14939

TSM:FJD (#6)
65-14932

Approved: Elpr

Special Agent in Charge

Sent 1146p MPer cy

65-14932-897

COPION EXHIBIT	REPORT BY	TITLE & CHARACTER	DATE	CONFIDENTIAL NATURE
116 (1)	Aubrey S. Brent Wash., DC	SALOMON LIEBERMANN, was. IS-R; Bufile 100-346290	11/23/48	Stamp #1
117 (2)	Edward E. Abbott Los Angeles	JACOB LEON GYER, SM-C Bufile not known	12/17/48	"
104-A (3)	Robert K. McQueen Wash., DC	LEONA SARON, was., SM-C; Bufile 100-100035	11/26/48	"
118 (4)	Arthur C. Wittenburg Los Angeles	DR. ARAMAIS AKOHE HOVSEPIAN, was., IS-R; Bufile 100-332756	1/31/49	Stamp #1; also on last page of rpt.
119 (5)	Edward G. Burke, Newark	PHILIP LEVY, IS - R Bufile 100-335075	11/23/48	Stamp #1
120 (6)	Robert E. Margison Baltimore	WILLIAM J. RAGIN, was., IS-R; Bufile 100-48565	11/16/48	"
121 (7)	Garold R. Fitzgerald Chicago	STOJAN KRISTIC, IS-YU & R	10/8/48	Stamp #1; "confidential" underlined over synopsis
122 (8 and 9)	Edwin O. Raudsep San Francisco	CLARA JURAVIOFF, was. SM-R; no Bufile	11/19/48	Stamp #1
105-A (10)	Jack S. Newell Newark	HAROLD BEERMAN, was.; SM-C; Bufile 100-341519	11/19/48	"
106-A (11)	Robert A. Frink, New York	FREDRIC MARCH, wa. SM-C; Bufile not shown	1/13/49	"
123-1 (12)	William E. Nummey New York	DOROTHY LOWENGRUND BLOCH, IS-R; Bufile 100-347243	1/28/49	"
123-2 (12)	John R. Murphy, New York	Same as above	6/9/47	"
124 (13)	Francis D. O'Brien New York	URSULA WASSERMAN, was.; IS-R; no Bufile	11/12/48	"
125 (14)	Howard P. Winter New Haven	JOHN LOOMIS SHERMAN, was. IS-R; no Bufile	1/24/49	"
126 (15 and 25)	Robert W. Coholan New York	ARTKINO PICTURES, INC. IS-R; Bufile 65-1673	12/20/48	"

65-14932-898

F. B. I.

FEB 10 1950

N. Y. C.

ROUTED TO FILE

10m

COPLON EXHIBIT	REPORT BY	TITLE & CHARACTER	DATE	CONFIDENTIAL NATURE
107-A (16)	Robert I. Ronksley Los Angeles	ELI POTASH, was. IS-R; no Bufile	12/16/48	Stamp #1
127 (17)	Raymond P. Wirth New York	DR. ROBERT LINCOLN LESLIE, 11/26/48 was., IS-R; Bufile 100-306388		"
108-A-1 (18)	J. Harold Glascock New York	LIDIA PAVIL DE PAVIGLI (TACCONI); IS-R; no Bufile	4/21/47	"
108-A-2 (18)	William E. Nummey New York	LIDIA PAVIL DEPAVIGLI (TACCONI); IS-R; no Bufile	12/9/48	"
109-A (19)	Floyd W. Brown Los Angeles	MICHAEL ALEXANDER BORNSTEIN WALDEN, was.; CLARA WALDEN, was.; IS-R Bufile 100-51620	1/13/59	"
110-A (20)	Robert I. Ronksley Los Angeles	BORIS ATANASSOFF EVANOFF GOUGOFF, was.; IS-R (Bulgarian); no Bufile	12/5/48	"
128 (21)	Francis W. Zangle New York	GEORGI DIMITROV SOTIROV, 11/22/48 was., IS-R, Bulgarian; Bufile 100-353993		"
111-A (22)	Lawrence W. Spillane New York	SAMUEL GORDON, ESP-R. no Bufile	12/31/48	"
112-A (23)	Frederick A. Johns El Paso	EUGENIO CHAVEZ, was.; ESP.-R; SECURITY MATTERS-C; no Bufile	11/18/48	"
113-A-1 (24)	JOHN R. MURPHY New York	IRINA (IRAIDA) EFIMOVNA ALEKSANDER, was.; BOZHIDAR KOESIMIR (THEODORE) ALEKSANDER, was.; IS-R, Refer 5 IS; no Bufile	5/28/46	Stamp #1; "Confidential" underlined over synopsis
113-A-2 (24)	John R. Murphy New York	Same as above; Bufile 100-345105 9/5/46		"
113-A-3 (24)	"	Same as above	5/12/47	Stamp #1

COPLON EXHIBIT	REPORT BY	TITLE & CHARACTER	DATE	CONFIDENTIAL NATURE
113-A-4 (24)	John R. Murphy New York	IRINA (IRAIDA) EFIMOVNA ALEKSANDER, was.; BOZHIDAR KOESIMIR (THEODORE) ALEKSANDER, was.; IS-R, Refer 5 IS; Bufile 100-345105	10/7/47	Stamp #1; "Confidential" underlined over synopsis
113-A-5 (24)	"	"	2/11/48	"
113-A-6 (24)	J. Clifford Letcher Wash., DC	"	4/1/48	"
114-A (26,27,28, 29)	Wesley G. Grapp San Francisco	NOVAYA ZARYA, aka Russian Daily Morning News; REGIS. ACT.; IS-R	12/15/48	Stamp #1
115-A (30)	Bureau memo dated 5/15/48, addressed to Assistant AG T. Vincent Quinn	NICOLAE MALAXA, was. IS-R & Roumanian; REGIS. ACT.		Attached as enclosure is copy of memo to Bureau from Central Intelligence Agency dated 5/11/48 marked "Secret". Also attached to this memo are the context of two papers forwarded to Bureau by memo dated 5/10/48 by Dept. of State designated as attachment #1 and attach- ment #2. This material was furnished to an official of Dept. of State on 4/27/48 by Gen. NICOLAE RADESCU. They bear the typed designation on pages 1, 2, 3, & 4 of "confidential". It appears that this designation was made by RADESCU.
129 (31 and 32)	Rudolph V. Gliniak New York	BRANKO KRAMAR, was. IS-R; no Bufile	2/17/48	Stamp #1
130 (33)	Edward Dornlas, Jr. San Francisco	NICHOLAS GEORGE NICHOLAS, was.; IS-C; Bufile 100-175912	10/12/48	"
131 (34)	David E. Todd San Francisco	MARIO JOSEPH PEZZOLA, was. IS-R; Bufile 100-355621	1/21/49	"

Stamp #1 reads as follows:

PROPERTY OF FBI

This confidential report and its contents are loaned to you by the
FBI and are not to be distributed outside of agency to which loaned.

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 16, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

Reference is made to the memorandum of Supervisor Granville dated February 15 concerning Mr. H. B. Fletcher's request that we examine the reports introduced in evidence in the Washington trial for indications that they were marked confidential.

At 5:40 pm on February 15 I called Mr. Fletcher to advise him that we had made a schedule of all reports concerned and had examined them carefully. All of the reports bore the Bureau stamp stating "Property of FBI - This confidential report and its contents are loaned to you by the FBI and are not to be distributed outside of agency to which loaned."

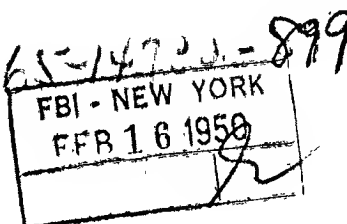
In addition, the report of SA Fitzgerald dated October 8, 1948 on STOJAN KRISTIC, INTERNAL SECURITY - YU and R; the reports of SA John R. Murphy dated May 28, 1946, September 5, 1946, October 7, 1947 and February 11, 1948, and of SA J. Clifford Letcher dated April 1, 1948 in the case entitled IRINA EFIMOVNA ALEKSANDER bear the typed word "Confidential" (underlined) above the synopsis of the reports. One document which is not a report but a Bureau memorandum dated May 15, 1948 (pertaining to data slip #30) is not marked confidential nor does it bear the stamp; however, the enclosure from CIA is marked "Secret" on the top and bottom of each page and the memo showing information from the State Department bears the typed word "Confidential" on the top and bottom of each page.

Mr. Fletcher advised that this was sufficient information for his purpose. I advised him we had the entire schedule and would send him a copy if the Bureau desired further information.

A. H. BELMONT
ASAC

Att.-1

AHB:CTC
65-14932



MR. SCHEIDT	
MR. BELMONT	
MR. WHELAN	
MR. COLLIER	
MR. GRANVILLE	
MR. FLETCHER	
MR. GURNEY	
MR. LADD	
MR. NICHOLS	
MR. ROSEN	
MR. TRACY	
MR. WATSON	
MR. WEAVER	
MR. WYATT	
MR. ZIEGLER	
MR. CLEGG	
MR. GLAVIN	
MR. HARBO	
MR. MOHR	
MR. PENNINGTON	
MR. QUINN	
MR. TOLSON	
MR. WINTERROWD	
TELE. ROOM	
MR. NEASE	
MISS GANDY	

UNIT
STANT
N
...MR. COLLIER
...MR. GRANVILLE
...MR. HENDERSON
...MR. HENRY
...MR. LEWIS
...MR. STESSAULT
...MR. WISOR
...MR.
...MR.
...MR.
...CHIEF CLERK
...PROPERTY CLERK
...TRAINING UNIT

RE: JUDITH COPLON
ESPIONAGE - R

I advised Mr. Fletcher that Mr. Kelley does not know what happened during the entire conference and that as soon as the transcript is available tomorrow morning, we will attempt to get a copy.

AHB:CTC
65-14932

65-14932-900
FBI - NEW YORK
FEB 16 1950

MR. SCHEIDT
MR. BELMONT
MR. WELLS
MR. COLLIER
MR. GRANVILLE
MR. LUCAS
MR. KENNEDY
MR. LUTY
MR. SCHERRAULT
MR. TOLSON
MR. WATSON
MR. WILSON
MR. YERGEN
MR. ZIEGLER
PROPERTY CLERK
TRAINING UNIT

4 ADVISOR

RE: JUDITH COPLON
ESPIONAGE - R

Mr. Fletcher was advised that Mr. Kelley has promised to inform us immediately if he gains any ^{additional} knowledge on this matter, and particularly as to what happens at the two o'clock conference.

AHB:CTC
65-14932

FBI - NEW YORK
FEB 16 1950

MR. SCHEIDT
MR. DELMONT
MR. WIERLAN
MR. COLLIER
MR. CRANVILLE
MR. FUGGINS
MR. L. SNEYDY
MISS SAULT
REVISOR
CLERK
PROPERTY CLERK
TRAINING UNIT

INSOR

RE: JUDITH COPLON
ESPIONAGE - R

I explained to Mr. Laughlin that this conference was secret, there is to be absolutely no publicity given to it and we would not send a teletype to the Bureau. I explained to him that we would follow this matter closely and keep the Bureau advised of any developments we learned of. I said that the Judge had advised POMERANTZ and government counsel that they could get in touch with him tomorrow to ascertain the results of this 2:00 pm conference. I further said we could find out late this afternoon and would advise.

RRG:CTC
65-14932

FBI - NEW YORK
FFB 1 6 1950

New York, N. Y.
January 30, 1950

On January 30, 1950, HEDE MASSING was interviewed by Special Agents John M. O'Hara and William J. McCarthy.

In regard to her training for Soviet espionage she advised that she had been trained by her superior, "LUDWIG" (IGNATZ REISS). LUDWIG spent nearly a year with her, 1930-1931, meeting her about once a week. During this time he gave her a few minor jobs. He showed her how to approach people, told her what precautions to take before and after a meet with a member of the apparatus and what explanation to give in the event she was ever picked up by the police.

With regard to the precautions to be taken before and after a meet, she was advised that she should never go directly to the meeting place from her residence without carefully checking for persons following her nor was she ever to go directly from a meeting place to her residence without carefully checking. She was instructed to check by changing buses and other means of transportation; by going to department stores and riding the elevators and by going to the ladies' room in the department stores.

LUDWIG told her that in the event she was ever picked up by the police when she was with one of the male members of the apparatus, she should state that this man was her lover.

HEDE advised that ICA SORGE had given her just about the same instructions when she did a few jobs for him in Germany during the late 1920's. HEDE stated that "FRED" (BORIS BAZAROV) repeated the instructions about checking for persons following her every few weeks during the time she was associated with him in the United States, 1935-1937. He would tell her that he knew it was boring to tell her about taking precautions but he wanted to impress upon her the importance of being careful. He would also tell her that in the event she was ever picked up at a meet she should advise the police that she was with her lover.

In explaining the relationship between herself and the male members of the apparatus with that of lovers, HEDE stated that was one of the first principles that she learned as a Soviet agent. She stated that she could be sure that if she were picked up and told the police that the man who was picked up with her was her lover, he too would be telling the police that she was his lover and that their relationship was solely a love affair. HEDE stated that other fundamental principles, aside from those dealing with precautions, were to bring gifts to persons who were being developed and to write reports about the people being developed. HEDE stated that because of her experience in the work she was selected by her superiors, "BILL" (VINCE GREENKE) and FRED, to instruct GERDA FRANKFURTER about checking for persons following her.

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N. Y. C.

ROUTED TO

FILE

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HEDE stated that even the drunken ARTHUR WALTER who was her superior during 1933 and 1934 in the United States and who frequently became so drunk when he was in her apartment that he was unable to leave all night, had told her on a number of occasions that if she were ever questioned by the police concerning her relationship with ARTHUR WALTER, she should advise the interrogators that they were lovers.

Mr. Raymond P. Whearty

Rosalie Moynahan

February 9, 1950

RM:has

146-1-517

United States v. Coplon and
Gubitchev - Rebuttal Testimony

You have asked for legal justification to present certain witnesses in rebuttal of the Coplon-Gubitchev defense to the conspiracy charge that a love affair rather than espionage motivated and explained their actions. The question is to what extent that defense may be rebutted by available witnesses.

A. IN GENERAL

In VI Wigmore "Evidence", (3d ed.) Section 1875, it is said in respect of proponent's case in rebuttal that, subject to the general principle of the trial court's discretion, "the usual rule will exclude all evidence which has not been made necessary by the opponent's case in reply." The text cites, among others, Goldsby v. United States, 160 U.S. 70, 74; United States v. Hirsch, 74 F.2d 215, 219 (C.A. 2); Diehl v. United States, 98 F.2d 545, 548 (C.A. 8); Locke v. United States, 118 F.2d 246, (C.A. 5).

And in discussing the application of this rule Wigmore also states, Sec. 1875 (4), at page 517:

For matters properly not evidential until the rebuttal, the proponent has a right to put them in at that time, and they are therefore not subject to the discretionary exclusion of the trial Court. Matters that should have been put in at first may by that discretion be refused later, because this is but the denial of a second opportunity. But matters of true rebuttal could not have been put in before, and to exclude them now would be to deny them their sole opportunity for admission. Hence, while the trial Court's determination of what is properly rebutting evidence should be respected, yet, if its nature as such is clear, the proponent does not need the trial Court's express consent to admit it as involving a departure from the customary rule.

This will always be the case for evidence offered to impeach the opponent's witnesses by way

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cc: Records
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of moral character, bias, self-contradiction, or the like * * * It has also sometimes, by discretion, been extended even to the case where * * * partial anticipation of the rebuttal during the case in chief has been voluntary and irregular on the proponent's part, i.e. where he has not had the excuse of necessity. (Emphasis in test.)

With greater emphasis on the Court's discretionary power see 25 C.J.S. "Criminal Law", Section 1050(b) at page 454, which states the rule as follows:

The admission or exclusion of rebuttal testimony rests largely within the discretion of the trial court, and this includes the determination of whether certain testimony is proper rebuttal testimony. In the exercise of its discretion in such matters, the court is allowed a wide latitude.

The cases cited are: United States v. Glasser, 116 F.2d 690, (C.A. 7), modified on other grounds 316 U.S. 60; Leche v. United States, 118 F.2d 248, (C.A. 5), cert. den. 314 U.S. 617; Cornes v. United States, 119 F.2d 127, (C.A. 9); United States v. Montgomery, 126 F.2d 151 (C.A. 5), cert. den. 316 U.S. 681; Banning v. United States, 130 F.2d 530 (C.A. 6), cert. den. 317 U.S. 695; United States v. Deardorff, 40 F. Supp. 512, (D. C. Pa.); Williams v. United States, 151 F.2d 756 (C.A. 4).

In United States v. Montgomery, supra, the opinion states at 126 F.2d 153:

It is well settled that the order of the reception of evidence lies largely in the discretion of the trial judge, whose action will not be reversed on appeal unless it amounts to a gross abuse of discretion. (citing cases.) Abuse of discretion in such regard arises only where the order of proof permitted by the trial judge is harmful or prejudicial. Such is the case where a contradiction by rebuttal is made to revolve about a fact directly material to the issue and which is not proven substantively throughout the case (Whealton et al. v. United States, 3 Cir., 115 F.2d 710, 716), or the evidence in rebuttal is of a subsequent transaction which has no evidentiary bearing on any issue presented by the trial (Coulston v. United States, 10 Cir., 51 F.2d 178, 180), or where the evidence

in rebuttal is offered to discredit a witness with respect to a purely collateral matter which was brought into the case by cross-examination of a witness. *Cohen v. United States*, 1 Cir., 56 F.2d 28, 30; *United States v. Sager et al.*, 2 Cir., 49 F.2d 725, 730.

The extent of the rebuttal testimony will, of course, depend largely upon what his cross-examination will reveal of the Communist Party affiliations and knowledge of Gubitchev. But since the general nature of the joint defense has been revealed by opening statements of their counsel, it would seem that evidence discrediting that defense should go to the jury.

B. AVAILABLE WITNESSES.

(1) FBI Agents. It has been suggested that those FBI agents whose duty it is to investigate and work up the reports on communist espionage activities may be used to testify to party instructions that agents of the opposite sex, arrested on charges of espionage, explain their association as based upon personal rather than political interest, each being assured that the other will support that story. This testimony would be admissible as an exception to the hearsay rule under the general heading of opinion evidence. In 32 C.J.S. "Evidence" a distinction is made between the testimony of an ordinary observer (Sec. 455), a skilled witness (Sec. 456) and an expert witness (Sec. 457). Under Section 456, which seems most applicable to this type of testimony it is said:

A skilled witness may be qualified by professional, scientific, or technical training, or by practical experience in some field or activity conferring on him special knowledge * * *. The combination of scientific knowledge and practical experience produces a higher degree of quality than would result from either alone. However, mere casual observation or desultory and superficial reading is not sufficient; nor is there any assumption that a witness is skilled in an observation because he is engaged in a business where knowledge of it would be eminently useful. * * * (No) well defined standard by which to measure the qualifications of such a witness beyond the general requirement that capacity must commensurate with the reasonable requirements called for by the nature of the subject matter.

Again, at Section 472 (p. 126):

A skilled witness should be permitted to state a fact not generally known, but known to him because of his peculiar training and experience, although it might involve an element of inference, unless the statement contains too much of the objectionable element of reasoning or conjecture.

And under Section 473 (p. 127):

A statement of fact by a skilled witness may be made on any subject as to which he has special knowledge and experience.

Nichols et al. v. United States, 48 F.2d 46 (C.A. 8), holds that "expertness can come through experience as well as special education."

In respect of experiential capacity, however, II Wigmore, Sec. 561, at p. 645 states positively that "the experiential qualifications of a particular witness are invariably determined by the trial judge, and will not be reviewed on appeal." With regard to custom or usage such "can only be proven by instances of actual practice, or a succession of individual facts, and cannot be proven by opinion of a witness." Shipley v. Pittsburgh & L. E. R. Co., 68 F. Supp. 595 (D. Pa.) modified 70 F. Supp. 570.

On the other hand, it is said that a witness possessed of special training, experience or observation in respect to the matter under investigation may testify as to his opinion when it will tend to aid the jury in reaching a correct conclusion. Phillips Petroleum Co. v. Payne Oil Corp., 146 F.2d 546 (C.A. 10); Farris v. Interstate Circuit, 118 F.2d 409, 412 (C.A. 8); and Francis v. Southern Pacific Co., 162 F.2d 815, 817 (C.A. 10). These three cases, however, deal with expert testimony as such. But according to VII Wigmore Sec. 1955(c):

It is obvious that, by the principle of the Opinion rule (ante 1918), the judge (or the jury) will not resort to outside aid if the question is merely one of ordinary usage which will be as familiar to him (or to them) as to any one; while if it is one of the usage in special trade or locality, or if for another reason aid is necessary, it will be sought. (Emphasis supplied.)

In United States v. Pelley, 152 F.2d 170, cert. den. 318 U.S. 764, expert testimony that magazine published by defendant contained statements in accord with current German propaganda themes based on

extensive search and preparation of charts, was held admissible if only to show circumstances and background from which intent might be better judged. In United States v. Novick, 124 F.2d 107, cert. den. 315 U.S. 815, which involved a prosecution for conspiracy to defraud the United States of taxes on distilled spirits, the accused admitted that he played the numbers in order to explain his association with a co-defendant who was a bookkeeper. The Court of Appeals upheld the action of the district court in permitting city detective in rebuttal to testify that from papers found in the possession of the accused, (which were admitted in evidence on cross-examination), he could determine that accused had been a policy banker rather than a mere player. There was no unfair surprise here, nor confusion of issues, and no abuse of discretion.

In these two cases, of course, there is a direct connection shown between the proffered testimony and the accused. The difficulty that will be faced in respect of the agents testimony is not the proof of the prevailing custom or instructions, if such can be factually established, but to show defendants' knowledge of and guidance by it. As stated above, it is quite possible that the cross-examination of Gubitchev may establish his membership in the C.P. or other facts showing his awareness of such instructions. Coplon's communist connections, as we know from the Washington trial, are pretty well underground.

(2) Former Communist Party Members or Spies. The suggestion has also been advanced that former C.P. members such as Budenz or Mrs. Massig could testify to their knowledge of such general instructions to espionage agents. Starting with the premise that, as stated in the Banning decision, supra, 150 F.2d at 538, it is "common knowledge that those who commit crimes usually plan to avoid detection and punishment if detected" hence, "plans to avoid detection and acts to avoid punishment are an integral part of the offense" we reach the same conclusion that proof of such plans or acts is admissible. In Baltimore Amer. Insurance Co. v. Pecos Mercantile Co., 122 F.2d 145 (C.A. 10), it is said that oral testimony based exclusively upon writings which themselves come within the hearsay rule, is not competent. And the decisions are clear that the testimony of one witness as to instructions given personally to him or her would be insufficient to establish general instructions of the kind described. The admissibility of such evidence seemingly depends upon the competency and familiarity of the particular witness with the general practice. In II Wigmore Sec. 375, the general principle is stated to the effect "that a habit, course of business, or custom is relevant to show the doing of an act", but a distinction is made between (1) habit proper, applying to a course of action by an individual; and "(2) custom, or usage, that is a course of conduct by a community or other body of individuals." In respect of the second division, Wigmore states at Sec. 379 (Vol. 2, pp. 316-317):

In evidencing a custom or usage (i.e. the habit of a body of persons) by specific instances, the same general principle * * * is applicable; that is, the instances offered (a) should be sufficiently numerous to indicate a fairly regular course of business, and (b) should occur under conditions substantially similar to that in question.

The text continues that under the heading (a) "no difficulty seems to arise; the discretion of the trial court should control" but that under the heading (b), "it is obvious that there must be such a similarity or unity of conditions that what is done by one or more persons or sets of persons may be taken as indicating the probable general habit of the class of persons under similar circumstances." The text concludes that precedents illustrate all sorts of trades and usages and no detailed generalization seems feasible, stating (3) "that the question is not whether the offered instances fully prove the custom alleged, but merely whether they are receivable as having probative value."

Naturally, none of the cases cited in the text apply these principles to conspiratorial or espionage usages or customs but the principles themselves would seem applicable in offering proof thereof. Despite the odious comparison however, a fact connected with ecclesiastical affairs is provable by a skilled witness. Bird v. St. Mark's Church, 62 Iowa 567, 17 N.W. 747.

A former C.P. member or spy testifying, would, I think, fall more in the category of an ordinary, than a skilled witness, because he would be testifying solely to facts from which he infers the generality of the instructions. As stated in 52 C.J.S. "Evidence", sec. 454, p. 94:

Where the statement is largely one of fact, the qualification of the witness consists, not in skill or special experience, but in his possession of satisfactory data as a witness who cannot claim to be a skilled witness may nevertheless have a special experience which enables him to draw a more accurate inference from particular phenomena than could be drawn by a mere casual observer.

In VII Wigmore, sec. 1954, p. 85, it is said that a witness is apt to prove a trade usage by declaring that usage attributes a certain right or liability in certain circumstances. This, according to Wigmore is a violation of the Opinion rule; "the witness should state the tenor of the usage or practice, omitting any reference to the legal effect." With respect to the necessity of mentioning one or more instances in support of a statement of the general practice, it is said (p. 84) that there is no rule of exclusion. "The usage is

itself a fact, and the Opinion rule does not treat such testimony as an inference from data which can be adequately stated without the inference." One witness suffices to establish usage or custom (VII Wigmore, Sec. 2055, p. 309) citing Robinson v. United States, 13 Wall. 363, but, as pointed out in Section 379, supra, more than one instance is required to indicate a regular usage or practice. As was stated in Washington B. L. & S. P. Co. v. Anderson, 178 Wash. 418, 29 P.A.C. 690, the custom should not be "left to be drawn as an inference from an isolated transaction." In United States v. Perlstein, 39 F. Supp. 965, affirmed 126 F.2d 789 (C.A. 3), cert. den. 316 U.S. 678, there was a prosecution for conspiracy to obstruct the due administration of justice by attempt to protect co-defendants from complicity of the operation of an illicit still. The government in rebuttal offered testimony that a co-defendant, who testified on his own behalf, had acted for the witness and lessee in the matter of securing permission to operate such still. This proof was held admissible to meet defendant's interpretation of the motive for and character of his representation, and to make his subsequent behavior comprehensible. Also in United States v. Pincoff, 159 F.2d 917 (C.A. 3), evidence of the government's rebuttal witness was properly admitted, as against contention that such evidence was in contradiction of collateral matter developed in cross-examination, where it appeared that there was ample foundation for testimony in defendant's direct examination, and the particular issue involved was important, and had been so characterized by the trial judge.

The decision in Cornes v. United States, 119 F.2d 127 (C.A. 9) holds that even if evidence offered in rebuttal was not proper rebuttal, admitting such evidence was within the district court's discretion, and that discretion, in absence of abuse, was not reviewable on appeal.

(3) Testimony of Shapiro. Judge Ryan, in his opinion denying, with leave to renew, the defendants' pre-trial motion to disqualify, stated that Shapiro would be permitted to testify on the romance defense. It has been suggested that this witness, if called, might plead the constitutional privilege against self-incrimination because the circumstances of the Baltimore-Philadelphia week end with Coplon has Mann Act prosecution elements.

To call Shapiro to the stand as a Government witness, knowing beforehand that he would claim the privilege while he continues in Government employment, would not only expose the Department to invidious criticism but might present grounds for reversal as prejudicial to defendants.

In its January 10, 1950 decision in United States v. 5 Cases, etc., "Figlia Mia" brand, and Antonio Corrao Corporation (not yet reported), the Court of Appeals for the Second Circuit affirmed the judgment of condemnation of several cases of edible oils from which decrees appeal was taken. It appeared that a witness, one Mennoli, to whom a certain shipment had been traced, was put on the stand by libellant and claimed his privilege against self-incrimination generally, disclosing that he was under Federal indictment, and specifically to a series of questions thereafter put to him. In respect of claimant's unsuccessful motion for mistrial, urged on appeal as reversible error, the Court stated:

In Wigmore on Evidence, 3d ed. § 2268, the learned author says: "The privilege is merely an option of refusal, not a prohibition of inquiry," and "it is universally conceded that the question may be put to the witness on the stand." [Emphasis in original.] Nevertheless we are not prepared to say that it would not be ground for reversal if the party who called a witness connected with a challenged transaction knew, or had reasonable cause to know, before putting the witness on the stand that he would claim his privilege. See McClure v. State, 251 S. W. 1099 (Tex.); Rice v. State, 51 S. W. 2d 364 (Tex.); cf. People v. Kynette, 104 P. 2d 794, 802 (Cal.). However that may be, in the case at bar it had not been proven that the libellant knew or had reasonable cause to know that Mennoli would claim the privilege when he took the stand. Hence there was no error in calling him to the stand. After he had claimed the privilege, in response to the third question put to him, it was apparent that he would continue to claim it. Nevertheless, counsel for the Government propounded a series of increasingly pointed questions as to each of which the privilege could be, and was, claimed. Had this been done over the claimant's protest, it might have been error serious enough to require reversal. As to that, we need not say;

for here, the claimant allowed the questions to go on without a whisper of objection and then moved for a mistrial. The victim of alleged prejudice cannot be allowed to nurse it along to the point of reversibility and then take advantage of a situation which by his silence he has helped to create. See Morrow v. United States, 7 Cir., 101 F.2d 654, 658, cert. den. 307 U.S. 628; Louisville R. Co. v. Masterson, 96 S. W. 534 (Ky.). The motion for a mistrial was properly denied. In his charge Judge Hincks handled the matter as well as may be done by admonition; he instructed the jury that Mezzoli's "reluctance to incriminate himself may not be used to incriminate others * * * The situation, then, is just as though Mezzoli had never been called." (Additional emphasis supplied)

The views of the Second Circuit as above set forth would be controlling in a case tried within the Southern District of New York.

Of the two Texas decisions cited above the McClure case held that putting a witness (seemingly implicated in the offense but not shown to be indicted) on the stand in a prosecution for murder, who refused to testify for fear of incriminating himself, was not reversible error in the absence of a showing that the state was acting in bad faith, had reason to believe or knew, that he would not testify, and was putting him on the stand to prejudice the accused.

In the Rice case, *supra*, prejudicial error was found in the state's calling those jointly indicted with appellant for conspiracy to rob where court and counsel knew beforehand that these witnesses would refuse to testify because indicted for the same offense, and the court had denied request of appellant to admonish the district attorney not to place the witnesses on the stand. The opinion quotes with approval the language of the judge in the earlier McClure case:

If the state's purpose in putting * * * witness on the stand was to compel or invite his refusal to testify, in order to use this as an incriminating fact against appellant, the state was guilty of an injustice.

The Kynette case, on the other hand, did not turn on the alleged impropriety of calling as witnesses police officers who had claimed their constitutional privilege on a prior grand jury investigation, and questioning them as to wire tapping activities, which they again declined to answer upon the same ground. No prejudicial error was found because the trial court had expressly instructed the jury it could draw no inference as to appellant's guilt or innocence from the refusal of others to testify on the constitutional ground. The reviewing court also intimated that

the prosecutor may justifiably have hoped for a change of mind in the interval between the appearance of the officers before the grand jury and at the trial.

Whether Shapiro would be justified, in view of his status as an employee of the Government in claiming the privilege, presents another question.

The courts have held that refusal to testify before grand juries presents grounds for discharge in the case of police officers. Christal v. Police Commission of San Francisco, 33 Cal. App. 2d 564, 92 P. 2d 416; Souder v. City of Philadelphia, 305 Pa. 1, 156 Atl. 245, 77 A.L.R. 610. And in Drury v. Hurley; Connelly v. Hurley, two cases not reported but discussed in 38 Journal of Criminal Law and Criminology, 613-619, the Civil Service Commission of the City of Chicago in 1947 dismissed two police officers for asserting the privilege by refusing to sign an immunity waiver when called upon to testify before the grand jury. The Superior Court of Cook County, however, quashed the record and issued a writ of certiorari on the officers' contention that while they refused to sign the waiver they did not refuse to testify, and that refusal to waive their constitutional privilege in advance of testifying did not constitute cause for removal. These two cases are apparently still pending on appeal. From the comment, however, it appears that the Superior Court recognized that refusal to testify as ground for dismissal but not refusal to sign the waiver.

This distinction is criticized in the article referred to, which also points out that the decisions apparently distinguish between lawyers and policemen. The cases cited include In Re Grace, 282 N.Y. 428, 26 N.E. 2d 963, holding that the exercise of the privilege by a lawyer is not grounds for disciplinary action by the Bar Association, and In Re Holland, 377 Ill. 346, 36 N.E. 2d 543. In the Holland case the respondent, a judge, refused to sign a waiver of immunity, and in distinguishing this situation from the cases involving policemen, the Illinois Supreme Court emphasized that the respondent could be tried only as a lawyer, and that while a lawyer is generally obligated to assist in the investigation of crime, he is not specifically charged as a policeman. The court concluded that "unless the circumstances surrounding him or duties placed upon him are of such character as to require, in honesty and good conscience, that he waive the right," a person is not guilty of wrong should he claim it. (377 Ill. at 357, 36 N.E. 2d at 548).

Under all the circumstances and unless assured that he will not claim the privilege, it would seem preferable to make the witness available for questioning by the court as its witness, to throw any light desired upon this situation, rather than to offer him as a witness for the government.



Federal Bureau of Investigation
United States Department of Justice

New York, N.Y.
February 16, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

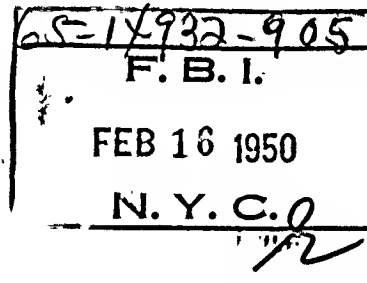
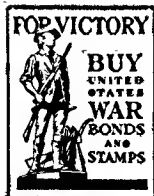
Attached hereto is a copy of a legal memorandum prepared by the Department for SAAG Whearty and Kelly relative to the re-admissibility of the rebuttal testimony in instant case.

Also attached is a copy of a blind memorandum concerning the possible utilization of HEDE MASSING as a rebuttal witness.

Copies of the two enclosures were forwarded to the Bureau by mail.

ROBERT R. GRANVILLE, SA

RRG:IM
65-14932





United States Department of Justice
Federal Bureau of Investigation

New York, N. Y.
February 15, 1950

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GANTT
MR. HUNTER
MR. KENNEDY
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WEAVER
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

MEMO:

RE: JUDITH COPLON, et al
Espionage R.

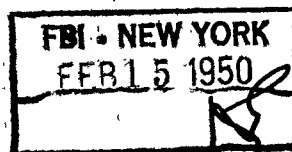
On the afternoon of February 15th, I called Mr. H. B. Fletcher to advise him that Mr. Kelly and Mr. Whearty have indicated they want to talk to me about the Bureau's attitude as to whether objections should be raised to the introduction of the 12 data slips which the Government attempted to withhold from evidence in the Washington trial. Mr. Kelly is of the opinion that it would be better, inasmuch as these slips went in at the Washington trial regardless of the Government's objection, to allow them to go in with the other data slips in this trial. I advised Mr. Fletcher that Kelly and Whearty have previously stated that they will object strenuously to any attempt to introduce the actual Bureau reports. Mr. Fletcher advised that insofar as the 12 slips are concerned that he will ascertain the Bureau's attitude on this, but will recommend that the attorneys follow whatever course they feel is best for the case. Mr. Fletcher will let me know on this.

A. H. BELMONT, ASAC

AHB:MT
65-14932

cc: 65-14939

2-17-50 Mr Fletcher advised
that we are not to express an opinion
re what data slips are to be introduced.
This is entirely up to the govt attys.
If the subject is brought up, I will
so indicate to Mr Kelly & Mr Whearty



65-14932-906

New York 7, New York

February 17, 1950

Director, FBI

RE: JUDITH COPLON
ESPIONAGE - R

Dear Sir:

Transmitted herewith is a photostatic copy of the transcript of the hearing in Judge Ryan's chambers on February 16, 1950 which concerned the dismissal by COPLON of ARCHIBALD PALMER as her attorney.

This is being forwarded for the information of the Bureau.

Very truly yours,

[Signature]
EDWARD SCHEIDT
SAC

enc.-1

*see
Archibald
12/17/4*

RRG:CTC
65-14932

65-14932 907

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 17, 1950

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GUNVILLE
MR. S. S.
MR. T. S.
MR. W. S.
MR. Y. S.
MR. Z. S.
MR. A. S.
MR. B. S.
MR. C. S.
MR. D. S.
MR. E. S.
MR. F. S.
MR. G. S.
MR. H. S.
MR. I. S.
MR. J. S.
MR. K. S.
MR. L. S.
MR. M. S.
MR. N. S.
MR. O. S.
MR. P. S.
MR. Q. S.
MR. R. S.
MR. S. S.
MR. T. S.
MR. U. S.
MR. V. S.
MR. W. S.
MR. X. S.
MR. Y. S.
MR. Z. S.

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

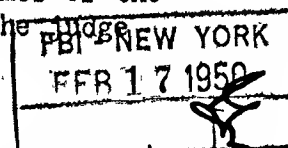
At 12:20 pm today, I called Mr. H. B. Fletcher of the Bureau to advise him of the results of the conference held in the chambers of Judge Ryan this morning. At 11:00 am and for about an hour thereafter, JUDITH COPLON, her brother BERTRAM and his wife SHIRLEY, ARCHIBALD PALMER and USA Saypol were in conference. COPLON reiterated that she could not stand to have PALMER as her attorney any longer and she did not feel she could trust her freedom to him. She continued along the same lines she had yesterday when she said that she thought he was exploiting her for publicity, had struck her and had used foul language to her in front of various persons. COPLON was adamant in her stand that she would not have PALMER represent her. The judge asked her what she proposed to do and she said that she had, from time to time since her arrest and during her trial in Washington and since, consulted with three attorneys. The judge asked her their names and she said she did not want to mention their names, but she did write them on a slip of paper and passed them to the judge. Mr. Fletcher was advised that the names of the three attorneys are SIDNEY S. BERMAN, with whom we believe COPLON has been intimate; SAMUEL A. NEUBERGER, a well-known attorney who has represented at least left wing groups in the past; and LEONARD BOUDIN.

I advised Mr. Fletcher that information regarding COPLON's visit to NEUBERGER is set out in the report of SA T. S. Miller dated November 4, 1949, starting on page 13, and NEUBERGER's connections are set out thereafter. We are checking our files for information on these individuals. BOUDIN is supposed to be the son of a liberal labor lawyer in New York.

Mr. Fletcher was advised that Judge Ryan appointed these three lawyers as her attorneys and had it entered in the minutes. He instructed COPLON to reappear at 3:00 pm today with these attorneys in his chambers. Mr. Kelley and Mr. POMERANTZ appeared at noon as directed and were advised of the above. Mr. Fletcher was informed that Mr. Kelley has expressed himself as feeling that POMERANTZ had knowledge of this and was of the opinion that POMERANTZ was not surprised when the names of the attorneys were revealed. I told Mr. Fletcher we would have more information after the 3:00 pm conference.

I called Mr. Fred Baumgardner later on the afternoon of February 17 and advised him that Mr. Kelley had received additional information from USA Saypol to the effect that JUDITH COPLON had furnished the names of the above three attorneys somewhat under protest at the request of the judge.

AHB:CTC
65-14932



65-14732-908

MEMO
NY 65-14932

February 17, 1950

and that she was opposed to having them act as her counsel at least until she had spoken to them; that she understood they may lack criminal experience. However, the judge placed them on record as her attorneys and told her to have them in court at 3:00 pm this afternoon, at which time the matter would be ironed out.

Mr. Baumgardner was advised that Mr. Kelley suggested that I be in the court room as there is no jury, in order that we could find out just what happens. I told Mr. Baumgardner I was going to be in the court room unless the Bureau objected.

At 3:30 pm today, in the absence of Mr. Fletcher, I advised Mr. Leo Laughlin that at 3:00 pm court had taken up before Judge Ryan, at which time Judge Ryan asked Miss COPLON whether she had expressed a desire to discontinue the services of PALMER, to which she replied that she did. The court brought up that it had been brought to his attention that she had consulted during the past months with three attorneys and that these attorneys had consulted PALMER relative to the appeal, and therefore he had appointed these three attorneys to represent COPLON inasmuch as she had no money and it was necessary for the court to appoint someone to represent her. The three attorneys, namely SIDNEY BERMAN, LEONARD BOUDIN and SAMUEL NEUBERGER, were present. The court asked them whether they were willing to represent her and they said that inasmuch as they had been appointed by the court they would represent her. They further stated they would utilize the weekend to familiarize themselves with the case insofar as possible and would be present in court on Monday morning, at which time they would be in a better position to state their position as far as representing her was concerned, indicating that they will probably ask for a continuance. Mr. Kelley advised that very probably they will ask for a continuance and that a short continuance would in all probability be granted.

Mr. Laughlin was further advised that Judge Ryan directed that all documents that PALMER had in his possession be turned over to the new attorneys and that he offer them any cooperation, which PALMER agreed to do. PALMER asked to be relieved of the appeal, but the court said that was not within its jurisdiction and instructed PALMER to consult with his client concerning that. I advised Mr. Laughlin that POMERANTZ had mentioned that he was in entire agreement with the proceedings.

Relative to information in our files concerning the three attorneys, I advised Mr. Laughlin that we have a closed Security Matter - C file on LEONARD BOUDIN, and referred him to the report of Frederick P. Kopp dated March 1, 1945 at New York City. We also have closed files on his father and mother, whose names are CLARA BOUDIN, nee Clara Hessner, and JOSEPH E. BOUDIN. I referred Mr. Laughlin to the report of SA Arthur F. Williams dated October 23, 1944 at New York City relative to CLARA BOUDIN. The file on JOSEPH E. BOUDIN, Bureau file 100-334873, indicates he was affiliated

MEMO

NY 65-14932

February 17, 1950

with the company that later became AMTORG and that his firm appeared to stand in an attorney-client relationship with the Communist Political Association.

Relative to SIDNEY BERMAN, Mr. Laughlin was advised that we have a Security Matter - C case on him as well as a Loyalty case, and from what we understand, at the present time he is separated from his government job awaiting the results of the Loyalty Hearing Board. We further understand that he has admitted to the Loyalty Board that he had been a member of the Communist Party at one time. The Bureau file on BERMAN is 100-233482.

I suggested to Mr. Laughlin that we prepare blind memoranda on the information we have on these three individuals and furnish them to the government attorneys. Mr. Laughlin advised that the Bureau will undoubtedly prepare memoranda in Washington and furnish copies to the Department. Therefore, we should not prepare memos here unless the Bureau advises us to do so.

A. H. BELMONT
ASAC

*Prepare
memos on these
3 attys
info
Q*

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

February 17, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLE
MR. CLEGG
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. HARBO
MR. MOHR
MR. WINTERROWD
TELE. ROOM
MR. HOLLOMAN
MISS GANDY

On the afternoon of February 17, I advised Mr. Leo Laughlin that attorney John Kelley had advised me that the three new attorneys for JUDITH COPLON appeared with her in the judge's chambers and indicated to the judge that they would have some motions to make when court opens on Monday, February 20. Mr. Kelley advised that undoubtedly they will ask for a continuance and the judge indicated that he would allow a continuance up to a week to enable the attorneys to get acquainted with the case. I advised Mr. Kelley that SA John Ward had returned to Washington yesterday and I wondered whether he should be available for the morning of February 20. Mr. Kelley was of the opinion that almost certainly there would be an adjournment and therefore Ward should not come up but should hold himself in readiness to come up at a moment's notice.

A. H. BELMONT
ASAC

AHB:CTC
65-14932

65-14932-909
FBI - NEW YORK
FEB 17 1950

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE New York, New York
February 20, 1950

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD...URGENT

JUDITH COPLON, ESPIONAGE R. WHEN COURT CONVENED AT TEN A.M., THIS MORNING, SAMUEL NEUBURGER MADE A STATEMENT CONCERNING HIS RELATIONSHIP WITH JUDITH COPLON, EXPLAINING THAT SINCE THE MIDDLE OF MARCH, FORTY NINE, HE HAS SEEN JUDITH COPLON ON SEVERAL OCCASIONS DURING WHICH TIME GENERAL ASPECTS OF THE CASE WERE DISCUSSED. LEONARD BOUDIN THEN EXPLAINED HIS RELATIONSHIP WITH COPLON BY STATING THAT HE HAD BEEN APPROACHED BY PALMER TO WORK ON TWO ASPECTS OF THE APPEAL OF THE WASHINGTON CASE. SIDNEY BERMAN EXPLAINED TO JUDGE RYAN THAT HE HAD GONE OVER THE ENTIRE TRANSCRIPT OF THE WASHINGTON TRIAL AND HAD PREPARED THE STATEMENT OF FACTS IN THE APPEAL FILED IN CONNECTION WITH THE WASHINGTON CASE. HE ALSO ADVISED JUDGE RYAN THAT HE HAD GONE OUT WITH MISS COPLON SOCIALLY. NEUBURGER THEN WENT INTO THE VARIOUS PROBLEMS WHICH WOULD ARISE IN CONNECTION WITH PREPARING HIMSELF TO ADEQUATELY DEFEND MISS COPLON, AT THE CONCLUSION OF WHICH HE ASKED FOR A CONTINUANCE OF SIXTY DAYS. POMERANTZ WAS ASKED BY THE JUDGE IF HE WOULD MAKE STATEMENT TO MAKE RELATIVE TO SUCH A REQUEST BUT HE DECLINED TO DO SO. KELLEY THEN MADE A STATEMENT FOR THE GOVERNMENT TO THE EFFECT THAT MISS COPLON HAD BROUGHT THIS ON HERSELF AND THAT HE THOUGHT THAT A WEEK WOULD BE SUFFICIENT. JUDGE RYAN THEN STATED THAT HE THOUGHT THAT ONE WEEK WOULD BE SUFFICIENT FOR THE DEFENSE COUNSEL FOR COPLON TO ADEQUATELY PREPARE THEMSELVES TO DEFEND MISS COPLON AND THAT HE WAS MAKING SUCH A RULING. NEUBURGER AND HIS ASSOCIATES THEN WENT INTO A CONFERENCE AND TOLD JUDGE RYAN THAT IN VIEW OF THE FACT THAT THEY COULD NOT ADEQUATELY PREPARE THEMSELVES IN A WEEK'S TIME, THAT THEY WERE REQUESTING THAT THEY BE RELIEVED OF THEIR APPOINTMENTS. JUDGE RYAN DENIED SUCH REQUEST AND

MR. ECHERT
MR. EELMONT
MR. WILSON
MR. COLEMAN
MR. GRANVILLE
MR. KENNEDY
MR. LADD
MR. ROSS
MR. RAGAN
MR. KING
MR. TRACY
MR. WASH
MR. WOHL
MR. CASPER
PROPERTY CLERK
TRAINING UNIT

CC - NY 65-14939

TSM:KD (6) Approved:
65-14932

Special Agent in Charge

Sent

1378

Per

New

65-14932-910

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

PAGE TWO

Transmit the following Teletype message to:
ORDERED THEM TO BE READY FOR RESUMPTION OF THE TRIAL TEN A.M., MONDAY, FEBRUARY
TWENTY SEVEN. HE ADDED THAT DEFENSE COUNSEL WOULD HAVE A RIGHT TO RECALL ANY
OF THE GOVERNMENT WITNESSES FOR FURTHER CROSS EXAMINATION. JUDGE RYAN THEN
BROUGHT THE JURY IN AND EXPLAINED TO THEM HOW MISS COPLON HAD ADVISED HIM THAT
SHE NO LONGER DESIRED TO HAVE PALMER REPRESENT HER IN THIS CASE. THE JURY
WILL REPORT BACK IN COURT AT THE ABOVE TIME.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

**Federal Bureau of Investigation
United States Department of Justice**

New York, New York
February 20, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

JUDITH COPLON reportedly exhibited "radical tendencies and pro-Communist" tendencies as early as during her junior high school days, according to information furnished February 19, 1950 by Mrs. JOHN MULLIN, 1223 East 28th Street, Brooklyn, New York. Mrs. MULLIN, a neighbor of the writer, is a teacher in the New York Public School System and advises that she learned of this allegation from Mrs. GILLEN, school teacher presently assigned to Public School 234 Junior High School, located at East 17th Street near Avenue R, Brooklyn. Mrs. GILLEN reportedly taught JUDITH COPLON when the latter attended a junior high school that subsequently was absorbed into PS 234.

Mrs. GILLEN, according to Mrs. MULLIN, recalls that JUDITH was a leader among her classmates and that she headed a club that ostensibly had the backing of the Parent-Teachers Association and because of this latter fact and because JUDITH was generally regarded as a young radical, Mrs. GILLEN as a matter of curiosity reportedly attended a meeting held by this club in a vacant store on Kings Highway, which had been rented by a parent of one of the club members. Mrs. GILLEN reportedly noted that while there were pictures of JOSEF STALIN and/or of the hammer and sickle on display at the meeting place, the American flag was conspicuously absent. Speeches having to do generally with the desirability of equality for all were made by a number of persons including some adults and JUDITH COPLON, one of the main speakers, reportedly was urging the club members to equip themselves with gray uniforms.

Mrs. MULLIN states that according to Mrs. GILLEN, it was rather common knowledge at that time that JUDITH COPLON, although very young, was developing "radical tendencies." She further indicated her belief that Mrs. GILLEN was a sincere, temperate woman who would not be likely to manufacture such a story.

DFG:RPM
65-14932

*Take no
action.*

65-14932-711 A

FBI - NEW YORK MAR 13 1950
Hgm

Mrs. MULLIN suggested the possibility that Mrs. GILLEN might be able to furnish the names of others who were well acquainted with JUDITH at that time and that through such persons it might be possible to identify and locate individuals who were closely associated with the subject during the impressionable years when she was going through high school. The possibility was also suggested that in view of JUDITH's having been popular, likely to be successful type of student she may have been recruited even before the completion of her highschooling as a person potentially useful for future underground work and may have been coached to avoid open association while at college with known Communist Party activities.

In view of the possible value of any facts that might shed further light on the intent of JUDITH COPLON's behavior particularly in connection with GURITCHEV, it is suggested that consideration be given to interviewing Mrs. GILLEN and endeavoring to learn of others who can furnish information regarding subject's behavior during her high school days.

DANIEL F. GARDE, SA

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
FEBRUARY 20, 1950

Transmit the following Teletype message to: BUREAU URGENT

JUDITH COPLON, ESPIONAGE - R. RE MY TEL FEBRUARY SIXTH LAST REQUESTING BUREAU AUTHORITY FOR NYO TO CONTACT OCCUPATION BUREAU OF BARNARD COLLEGE TO ASCERTAIN WHETHER IT SENDS CORRESPONDENCE ON ONION SKIN PAPER TO ITS GRADUATES. THIS POSSIBLY WILL BE USED IN REBUTTAL TESTIMONY. SUTEL BUREAU DECISION THIS MATTER.

SCHEIDT

CC: NY 65-14939

RRR

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. EUGENES
MR. KENNEDY
MR. LADD
MR. MARCHESSAULT
MR. RABIN
NIGHT SUPERVISOR
MR. KING
MR. TUCHY
MR. WALSH
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

TSM:NJG (#6)
65-14932

Approved: _____

Special Agent in Charge

Sent _____

M

Per _____

839

65-14932-981

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 21, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WIELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. HENRY
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WEAVER
MR. WYATT
MR. ZIEGLER
MR. CHASE
MR. CONNELLEY
MR. GALE
MR. GIBSON
MR. GLAVIN
MR. HARBO
MR. JONES
MR. KANE
MR. KIRKPATRICK
MR. LEE
MR. LITVIN
MR. MURPHY
MR. QUINN
MR. RYAN
MR. TOLSON
MR. WARD
MR. WHELAN
MR. WYATT
MR. ZIEGLER
MR. CHASE
MR. CONNELLEY
MR. GALE
MR. GIBSON
MR. GLAVIN
MR. HARBO
MR. JONES
MR. KANE
MR. KIRKPATRICK
MR. LEE
MR. LITVIN
MR. MURPHY
MR. QUINN
MR. RYAN
MR. TOLSON
MR. WARD
MR. WHELAN
MR. WYATT
MR. ZIEGLER

ADVISOR

At 4:00 pm today, Mr. John Kelley advised me confidentially that he had brought up with Judge Ryan the possible introduction of the FBI investigative reports from which the data slips found in COPLON's purse were made. Mr. Kelley explained to Judge Ryan the reason they probably went into evidence in the Washington trial was that Judge Reeves just did not want to take on the task of reading these extensive reports. Judge Ryan said he thought he agreed with Mr. Kelley that the rule of the Second Circuit here would allow the introduction of photostatic copies of the portions of the reports from which the data slips were made. Mr. Kelley has left the reports with Judge Ryan who will peruse them so that possibly he will be in a better position to make a quick review of them when the government attempts to keep them out of evidence.

Mr. Kelley stated he is of the opinion that the reports will not go into evidence judging from the attitude of Judge Ryan.

T. S. MILLER
SA

Mr. Kelley also advised that Meunberger told Judge Ryan he was going to argue for a mistrial on Monday (2/27) on grounds he does not have sufficient time to prepare case. Kelley said there is no merit to such motion.

TSM:CTC
65-14932

2/21/50
Mr. Tamm
of Bureau
advised
Q

65-14932-912
FBI - NEW YORK
FEB 21 1950
JSM

Federal Bureau of Investigation
United States Department of Justice
New York, New York

February 21, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

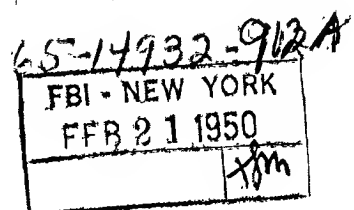
On February 21, Mr. Kelley advised SA John O'Mara that in chambers, SAMUEL NEUBURGER advised Judge Ryan that Juror #10, MICHAEL MARCELLO, is a salesman employed by Macy's and a member of a bargaining unit of Local S-1 of the union at Macy's (presumably the United Wholesale, Retail and Department Store Workers of America). Mr. NEUBURGER told Judge Ryan that a member of his (NEUBURGER's) firm represents the local of that union.

Mr. Kelley advised Agent O'Mara that he intends to do nothing about getting that juror off the jury inasmuch as if he had Judge Ryan call him in for questioning and the juror were not disqualified, then ill feeling might arise between MARCELLO and the government; also, in the event the government was successful in getting MARCELLO challenged for cause and disqualified, it might possible cause ill feeling among other members of the jury.

The above is for your information and should be passed on to the Bureau.

T. S. MILLER
SA

TSM:CTC
65-14932



New York, New York
February 21, 1950

Following an analysis of the testimony of Judith Coplon at her Washington trial, the following observations are being submitted:

1. At the Washington trial, COPLON testified she first met GUBITCHEV at the Museum of Modern Art in New York City. She testified during the course of this first meeting, GUBITCHEV told her he had been in France. (This testimony appears on pages 6912, 6917, 6930). In the event GUBITCHEV takes the stand at the New York trial, it may be a foundation will be laid either during his direct testimony or his cross-examination whereby he may make the statement that his trip to the U. S. in 1946 was his first trip out of Russia. If this does happen, COPLON's statement to the effect that GUBITCHEV told her he had been in France will be of use on GUBITCHEV's cross examination.

2. On page 7043 of the transcript of the Washington trial, COPLON stated that on January 14, 1949 on her arrival in New York, she called GUBITCHEV at the United Nations from a phone booth in the ladies' room in Pennsylvania Station. At this time GUBITCHEV asked her to meet him at the Cloisters. COPLON quoted GUBITCHEV as wanting to meet her up there as he had some UN business in that vicinity, and had to see a colleague in Washington Heights. On page 7045, which relates to February 18, 1949, COPLON stated GUBITCHEV asked to meet him on that date at the same place. At this point, COPLON again repeated that GUBITCHEV stated that he had work to do up in that vicinity. On cross examination of GUBITCHEV, it would appear that he might be hard-pressed to supply an explanation as to the nature of his business in Washington Heights.

3. During COPLON's testimony in Washington, she revealed the contents of numerous alleged conversations between herself and GUBITCHEV:

(a) On page 7425, COPLON stated GUBITCHEV spoke good English and was easily understood.

(b) On page 7109, GUBITCHEV told her on February 18, 1949, that he thought he was being followed. She stated later on March 4, 1949, he told her the same thing, and believed it could be either by detectives or it might be the N.K.V.D.

FBI

MAR 13 1950

(c) On pages 7246-7, COPLON again mentioned that GUBITCHEV told her that he was being followed by private detectives or the N.K.V.D.

*Copies given to Kelley & Wheatly
2/27/50 to Miller .. 65-14932-913*

(d) On page 7432, GUBITCHEV stated that he was anti-Soviet, and that he wanted to become a U. S. citizen. Later COPLON states that GUBITCHEV "indicated" that he was anti-Soviet in that he did not want to go back to Russia.

(e) On page 7437, COPLON states GUBITCHEV considered the purges of writers and artists in Russia, "inane, foolish and stupid".

(f) On page 7438, GUBITCHEV said he did not care for the present Russian Government. COPLON stated that GUBITCHEV made this assertion on the occasion of their first meeting.

4. It will be recalled that from the opening statements of GUBITCHEV's attorney, Mr. POMERANTZ, there appears an indication on pages 323 and 324 that POMERANTZ intends to show that after COPLON and GUBITCHEV on March 4th left the BMT Subway on 3rd Avenue and 14th Street, they spent the next 15 minutes between 14th Street and 15th Street on Third Avenue, which POMERANTZ states was unlike the conduct of spies attempting to evade a surveillance. POMERANTZ stated "They walked one block further" after getting out of the subway. Later, POMERANTZ referred to their conduct as "dawdling". In this connection, COPLON's Washington testimony somewhat commits her to a different course of conduct during the 15 minutes between the time they left the BMT Subway and when they were arrested.

(a) On page 7218, PALMER put a question to COPLON in which he places GUBITCHEV and COPLON "walking around the neighborhood of 15th Street past Rutherford Place, past the park", etc. COPLON did not deny in her answer to PALMER's question the accuracy of any part of the question.

(b) On page 7247, COPLON stated, "We walked through the streets - I am not familiar with the neighborhood; I don't know exactly which street we went down first or what we went down - I know we went through some residential areas where there were these brownstone houses, old-fashioned sorts of houses, and I know at one point he made a phone call".

(c) On page 7247, COPLON stated GUBITCHEV made a phone call before they arrived at 15th Street and 3rd Avenue.

(d) On page 7247, COPLON stated "We were more or less walking aimlessly around that neighborhood. Whether we ever passed that corner before I don't know because we were sort of walking around".

(e) On page 7611, while under cross examination, COPLON stated in reference to the activity of herself and GUBITCHEV just prior to arrest, that they were near a dark park.



United States Department of Justice
Federal Bureau of Investigation

New York, New York
February 21, 1950

Memo:

Re: JUDITH COPLON;
ESPIONAGE (R)

The writer and SA Francis X. Plant, since the inception of the jury trial of JUDITH COPLON and VALENTIN GUBITCHEV in New York, have been regularly reviewing testimony of the Agents who have testified as to the surveillance of COPLON and GUBITCHEV on the several crucial dates.

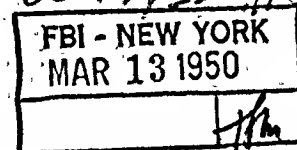
Although Defense Counsel PALMER's questioning of these witnesses does not appear to be directed toward laying a foundation for any particular line of defense, nevertheless, on the other hand, the cross examination of Defense Counsel POMERANTZ makes it clear that his main theory of defense is awareness by GUBITCHEV of the fact of an existing surveillance, which would thus justify the unusual conduct of GUBITCHEV and COPLON on the crucial dates.

The record abounds in attempts by POMERANTZ to place the surveilling Agents in such positions that GUBITCHEV will be able to state that he observed them on the crucial evenings. Furthermore, POMERANTZ has questioned several witnesses as to their manner of dress on the evenings that they were surveilling GUBITCHEV and COPLON. Thus, it would appear clear that when GUBITCHEV takes the stand, he will testify as to having observed Agents at particular spots and Bureau cars in particular positions, all of which served to alert him to the fact that he was being surveilled.

The instances wherein POMERANTZ is attempting to lay this foundation for "awareness" are so numerous that it is not felt worthwhile to set them out in detail.

John M. O'Mara, SA

JMO:KW
65-14932



**Federal Bureau of Investigation
United States Department of Justice**

February 24, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

I called Vic Keay at the Bureau this morning and advised him it was the belief of this office that SA J.J. Ward would be a necessary witness and should be available in New York on Monday morning, February 27th. I suggested the Bureau might desire to get in touch with SAAG Kelley or Whearty to verify this.

I also advised him that we had requested the Bureau for permission to furnish a blind memo concerning HEDE MASSING to Mr. Whearty and Mr. Kelley approximately ten days ago and I asked that the Bureau advise us whether this would be permissible. I explained that this blind memorandum had been forwarded to the Bureau together with memorandum of copy of law on the admissibility of rebuttal testimony. Mr. Keay said the Bureau would handle this.

ROBERT R. GRANVILLE, SA

RRG:IM
65-14932

65-14932-914
F. B. I.
FEB 24 1950
N. Y. C.

[illegible]

MEMO

65-14732-914

FBI - NEW YORK
FEB 20 1950
H. Miller

~~CONFIDENTIAL~~ (U)

SAMUEL ABRAHAM NEUBURGER,
also known as: Samuel A.
Newberger, Samuel A. Neuberger,
Samuel A. Newburger

Classified by SP-5 RJC/PSK
Declassify on: OADR
10/9/83

The Brooklyn Telephone Directory lists Samuel A. Neuberger as residing at 170 Hawthorne Street, Brooklyn, New York. The Manhattan Telephone Directory lists Samuel A. Neuberger as an attorney at 76 Beaver Street, New York City, and of the firm of Neuberger, Shapiro, Rabinowitz and Boudin.

A news bulletin published by the International Labor Defense, dated April 12, 1941, reflected that the Third Biennial National Conference of the International Labor Defense was held at New York City on April 4, 5 and 6, 1941. Samuel A. Neuberger, identified as Chairman of the Legal Staff of the ILD, was one of the main speakers.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

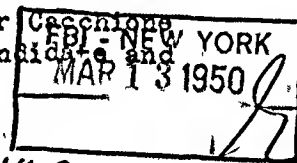
A confidential source of known reliability advised on May 27, 1941 that Robert Miner, then Vice-President of the Communist Party, held a conference at his office, which conference was attended by Samuel Neuberger, Abe Unger, and Dave Friedman, all New York attorneys, and Anna Damon, National Secretary of the ILD. According to the informant, this conference was held in connection with Eli Jaffe Criminal Syndicalism Case at Oklahoma City, Oklahoma, as well as similar trials in other States. Miner was alleged to have indicated an absence of alertness on the part of the Communist Party attorneys. The primary purpose of the conference was apparently to make certain that the attorneys were familiar with these various cases. (U)

A confidential source of known reliability stated that on February 10, 1942, a rally of the Committee for the Release of Earl Browder, sponsored by the Chelsea Unit of the Communist Party, was held at Spartacus Hall, 25th Street and Eighth Avenue, New York City, at 8:30 P.M. Samuel A. Neuberger, member of the Lawyers Guild, argued that Earl Browder (the then National Secretary of the Communist Party) was guilty of no crime and even if he were, the sentence was out of proportion to the nature of the offense as shown by the sentences imposed in similar cases. (U)

The "Daily Worker" of December 29, 1940 named Neuberger as a defense attorney in Oklahoma Syndicalism Cases. The "Daily Worker" of September 25, 1940, named him as the defense attorney for thirty persons charged with perjury and false pretenses in cases involving circulation of Communist Party petitions in Pittsburgh, Pennsylvania.

Under date of October 20, 1943, the "Daily Worker" indicated that Neuberger had withdrawn his candidacy for the New York City Council and was a member of "The Citizens' Interracial, Non-partisan Committee for Cacchione and Johnson". The paper stated that Cacchione was a Communist candidate and Johnson was the Republican candidate for Council positions.

~~CONFIDENTIAL~~ (U)



65-14932-914 C

~~CONFIDENTIAL~~ (U)

The "Daily Worker" for April 27, 1945 carried an article stating that Neuburger, "famed labor lawyer", would address the Flatbush Club of the Communist Political Association (presently the Communist Party) on "GI Bill of Rights".

A confidential source of known reliability, stated that on February 5, 1945, Neuburger made arrangements to visit Earl Browder at the latter's office, but the informant was unable to give any information regarding the purpose of this visit. (C) (U)

A confidential source of known reliability stated on May 21, 1943 that Neuburger was a well-known Communist lawyer, who was often mentioned in the "Daily Worker". According to the informant, Neuburger was accepted into the United States Army as a volunteer officer candidate, but was released from the Army on April 29, 1943 because of his active participation in Communist-front organizations.

The same source also stated that Neuburger was Chairman of the Gerhard Eisler Defense Rally held at Manhattan Center, New York City, on March 20, 1947. This rally was sponsored by the New York Branch of the Civil Rights Congress. Gerhard Eisler was the admitted Communist, who recently fled the United States, defaulting his bond.

The "Daily Worker" for October 16, 1947, contained an article to the effect that Leon Josephson, American Communist lawyer and one-time volunteer fighter in the "Dangerous Anti-Nazi German Underground", was convicted in Federal Court on October 15, 1947 of contempt of the House Committee on Un-American Activities and immediately sentenced to a year in jail with a \$1,000 fine. The article indicated that Samuel Neuburger, one of Josephson's two attorneys, was the only defense witness to testify.

The "Daily Worker" for January 9, 1948, reflected that a Civil Rights Congress meeting was held on January 8, 1948 at the Academy of Music, Brooklyn, New York to protest the "witch hunt" by Congress. Among the speakers listed was Neuburger, identified as Vice-Chairman of the Civil Rights Congress.

The "Daily Worker" for October 10, 1948, contained an advertisement "On the Eve of the American Reichstag Trial Meet the Twelve Defendants and Hear Their Case". The defendants were to be presented by Councilman Benjamin J. Davis at the Civil Rights Congress Dinner - Forum entitled "Democracy on Trial", held at the Iceland Restaurant, New York City, on October 14, 1948. Among the speakers was to be Neuburger.

The defendants referred to above were the eleven Communist functionaries who were recently convicted in New York for conspiracy to overthrow the United States Government by force and violence.

~~CONFIDENTIAL~~ (U)

~~CONFIDENTIAL~~ (U)

A confidential source of known reliability on December 16, 1948 advised that a rally sponsored by the Joint Anti-Fascist Refugee Committee was held on December 6, 1948 at Manhattan Center, 34th Street and Eighth Avenue, New York City. During the course of the rally, resolutions were presented concerning the prevention of Spain from gaining equal status with other democracies in the United Nations and additional circumstances regarding the Spanish situation were also discussed. The collection speech at the rally was made by Neuburger, in which he pleaded for help for the Joint Anti-Fascist Refugee Committee to give all its work in fighting Franco. Neuburger praised the Abraham Lincoln Brigade as pioneers in the fight against fascism and added that when the twelve Communist Party leaders go on trial, all America goes on trial with them. Neuburger stated that the trial must be stopped and that the Joint Anti-Fascist Refugee Committee must prevent their own eleven convicted officers from going to jail.

The same informant also advised that a mass rally, sponsored by the Civil Rights Congress was held on December 18, 1949 in Washington, D. C. The main topic of the speakers concerned a pretest of the Communist Party trial and Neuburger made the collection speech in which he stated that the trial of the eleven Communist Party leaders was a trial of the American people and an attempt to victimize them.

The "Daily Worker" of February 8, 1949 reflected that the National Council of American-Soviet Friendship sent a telegram to President Truman urging him to accept Stalin's bid to discuss peace problems and Neuburger was one of the signers of this telegram.

The "Daily Worker" of November 2, 1949 reflected that Neuburger was one of 485 lawyers who signed a plea for the lawyers of the eleven convicted Communist Party leaders. The petition was directed to the Circuit Court of Appeals to void the contempt convictions of the lawyers who defended the Communist Party leaders.

The "Daily Worker" for January 13, 1950 carried an advertisement by the Joint Anti-Fascist Refugee Committee urging that tickets be purchased to a "roll call for peace" to be held January 26, 1950 at Manhattan Center. It was stated that those in attendance would hear the "inside story" of Franco Spain and "U. S. renazification of Germany" from Vito Marcantonio, O. John Rogge, Johannes Steel, James Durkin, Samuel Neuburger and Edward K. Barsky.

Attention is called to the fact that the International Labor Defense, the Communist Party, the National Council of American-Soviet Friendship, the Abraham Lincoln Brigade, the Joint Anti-Fascist Refugee Committee and the Civil Rights Congress, mentioned above, all have been declared within the purview of Executive Order 9835 by the Attorney General.

~~CONFIDENTIAL~~ (U)

SIDNEY S. BERMAN

A reliable confidential source has provided information that SIDNEY S. BERMAN was a member of the Communist Party in Washington, D.C. in the first part of 1943 and probably in the latter part of 1942.

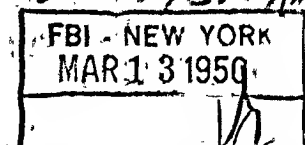
In a hearing held by the U. S. Department of Labor Loyalty Board BERMAN admitted he was a member of the Communist Party in New York, New York from late August or September, 1943 until possibly 1944.

Two close friends of SIDNEY BERMAN have admitted in writing that he was a Communist Party member in 1943 and that they had attended Communist Party meetings with him.

Another reliable confidential source advised BERMAN is a member of the National Lawyers Guild and that he attended a national convention of this organization held in Chicago, Illinois in February, 1948. The National Lawyers Guild had been cited by the House Committee on Un-American Activities as a Communist front organization.

The election records of the Board of Elections of New York City reflect that SIDNEY S. BERMAN registered to vote as a member of the American Labor Party for the years 1943 and 1944. The American Labor Party was cited as a Communist front by the Special Committee on Un-American Activities, U. S. House of Representatives on March 29, 1944.

Whereas SIDNEY BERMAN is listed in the Manhattan Telephone Directory as an attorney with offices at 225 West 57th Street, New York City, it is noted that the New York papers of February 17, 1950 carried an item stating he is a law partner of ABRAHAM L. POMERANTZ, with offices at 1450 Broadway, New York City.



New York, N. Y.
February 20, 1950

Leonard B. Boudin was born in New York City, July 20, 1912. He is a graduate of the City College of New York and St. John's Law School. He was admitted to the New York Bar in 1936. Was employed by the New York Mortgage Commission 1935-1936. Thereafter until recently he was connected with the law firm of Boudin, Cohn and Glickstein which mainly represented labor unions. He is now associated with Attorney Samuel A. Neuberger, 76 Beaver Street, New York City. From August 1943 until February 1944, Leonard Boudin was with the National War Labor Board. His wife, Jean Boudin, in 1942 was assistant editor of the Federated Press.

The parents of Leonard Boudin were Clara and Joseph B. Boudin. Joseph B. Boudin was an attorney, born in Russia, naturalized a U.S. citizen. A reliable source advised that Joseph B. Boudin in 1919 was an incorporator and director of the Products Exchange Corporation. This company later consolidated with Arcos America in 1924 and became the Amtorg Trading Corporation.

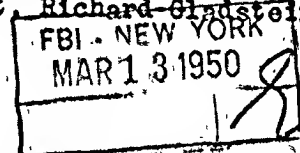
In 1936, according to an advertisement for the publication "Science and Society," Leonard B. Boudin was a contributing editor to the publication. The same advertisement set forth that "Science and Society" was established "to demonstrate through articles, communications and reviews the interdependence of science and society and to stimulate and foster Marxian research in the United States." Another release of the publication states that its purpose is to "indoctrinate Marxian policies in professional men, such as doctors, lawyers, etc., and to bring them into the ranks of the proletarians."

The "Daily Worker" for March 5, 1941, lists Leonard B. Boudin as one of 450 signers of a resolution directed to the President and Congress asking that the rights of the Communist Party be defended. This resolution specifically referred to recent rulings in several states which had removed the Communist Party from the election ballots.

In 1942, information was received from a reliable source that Leonard B. Boudin was "a close sympathizer of the Communist Party."

In 1947, the catalog of the Jefferson School, New York City, listed Leonard Boudin as an instructor or guest lecturer. Considerable reliable information has been received indicating that a close link between the Communist Party and the Jefferson School exists and further, to the effect that the training classes of the Communist Party are quite regularly held there and under the auspices of the Jefferson School.

In 1948, information was received from a reliable source that Leonard Boudin was on the Committee on Labor Law of the National Lawyers Guild. Also on the same Committee, according to the source, were John Abt, Richard Gladstein, Harry Sacher and Nathan Witt.



MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. HARBO
MR. MOHR
MR. WINTERROWD
TELE. ROOM
MR. HOLLOMAN
MISS GANDY

MEMO

I called Mr. Leo Laughlin of the Bureau on the morning of February 27 and advised him that Mr. Kelley has just indicated his plan of operation on the introduction of the data slips and the reports. He plans first to introduce all the data slips. In the Washington trial they first attempted only to introduce part of them but the government lost and finally all of the data slips did go in in the Washington trial. Mr. Kelley thinks it would be a tactical error not to put them all in.

He then proposes that SA Lamphere will identify photostats of the pertinent parts of the reports which formed the bases for the data slips. The government then proposes to introduce those photostats of the pertinent portions of the reports. Kelley anticipates that the defense may attempt to insist that the whole reports be shown to them and that the government will not be in a position to object since these reports are already in the minutes of the trial in Washington. He anticipates further that if they have reviewed them, they may attempt to introduce the whole report. Kelley feels that the government will be in a position to object since the government's position will be that the photostats constitute the only pertinent parts of the reports. Kelley further feels that the judge will support the government's position.

I also advised Mr. Laughlin that Kelley has stated that sometime this week he intends to interview HEDE MASSING to go over her testimony and see if he can use her as a rebuttal witness. He will keep in mind the Department's memorandum that to use her on the point he wants in evidence it will be advantageous to show that the instructions she received were general instructions to espionage agents rather than specific instructions applying to herself alone.

W. M. WHELAN
ASAC

cc - 65-14939 (Gubitchev)

WMW:CTC
65-14932

62-14722-915
FBI - NEW YORK
FFB 27 1950

MR. SCHEIDT
 MR. BELMONT
 MR. WHELAN
 MR. COLLIER
 MR. GRANVILLE
 MR. HUGHES
 MR. KENNEDY
 MR. LEVVIS
 MR. MARCHESSAULT
 MR. RAGAN
 NIGHT SUPERVISOR
 MR. KING
 MR. TUCKY
 MR. WALSH
 MR. WOHL
 CHIEF CLERK
 PROPERTY CLERK
 TRAINING UNIT

NEW YORK FROM WASHINGTON

21

24

8-11 PM

SAC.....U R G E N T

After
JUDITH COPLON, ETAL, ESP-R.

REURLET FOURTEENTH INSTANT. YOU ARE AUTHORIZED TO DISCUSS WITH GOVERNMENT ATTORNEYS RESULTS OF YOUR INTERVIEW WITH HEDE MASSING.

HOOVER

END

WA R 21 NY

65-14932-916
 FEB 24 1950
 N.Y.C.
 T. S. Miller

MR

~~MR. SCHEIDT~~
~~MR. BELMONT~~
~~MR. WILLIAM~~
~~MR. COLLIER~~
~~MR. GRAVWILL~~
~~MR. HUNTER~~
~~MR. GILBERT~~
~~MR. ...~~
~~... ASSAULT~~
~~... ADVISOR~~
~~MP.~~
~~MR.~~
~~MR.~~
~~CHIEF CLERK~~
~~PROPERTY CLERK~~
~~TRAINING UNIT~~

ANALYSIS

FBI - NEW YORK
FEB 24 1950

*see list
of letters
12-175-14177*

New York 7, New York

February 24, 1950

On February 24, 1950 Miss RUTH HOUGHTON, Director, Occupation Bureau, Barnard College, New York City, advised that she has been employed in this office for about two years, and that her duty is to maintain correspondence with undergraduates and graduates at Barnard College regarding employment openings for which they have been trained.

She explained that upon receipt by her of information that a position is opened for which she believed a Barnard student is qualified, she directs a letter to the student explaining the nature of the employment, and giving the employer's name and address. It is not necessary for a student to correspond with her to receive these notices as this is done as a continuing service for Barnard Alumnae interested in particular occupational fields.

Miss HOUGHTON stated that about one year ago, or about the beginning of 1949, the name of the Occupational Bureau had been changed to the Placement Office, and appropriate changes were made on the Barnard College stationery reflecting the new name. She furnished five sheets of stationery used by the College consisting of two sheets of Bond paper with Barnard College, Columbia University, New York 27, thereon, and three sheets of copy paper, or onion skin paper, two of the onion skin sheets bearing the College name.

Miss HOUGHTON explained that she usually used the Bond for corresponding with a single individual; while she used the onion skin paper when she notified four or more individuals of the same employment opportunity, as the onion skin paper made typing easier when more than one copy was being made. She pointed out that one of the onion skin sheets furnished had a black line drawn through the words "Occupation Bureau", and the words "Placement Office" printed under it, and explained that this particular sheet was from stationery on hand when the name of the Bureau was changed to Office, and would be the sheets used prior to about January, 1949.

The correspondence file on JUDITH COPLON was made available to ascertain her latest dates upon which the College had corresponded with COPLON, and it was ascertained that a letter dated November 23, 1948 was sent to COPLON at 3685 38th Street N.W., Washington, D. C. Miss HOUGHTON also noted that a notation had been made on a card entitled, "Regarding occupation relative to applicant -- Barnard College Occupation Bureau" which reflected that on December 28, 1948, the College received notice of an opening.

NEW YORK	
MAR 13 1950	
	<i>TH</i>

65-14932-917A

United States Children's Bureau, and that COPLON had been notified of this opening. No copy of the letter was found in the file, but Miss HOUGHTON stated that it was her practice to direct a letter within three days of the receipt of the information of this nature, and that COPLON, therefore, should have received her letter dated either December 28, 29, or 30, 1948, advising her of the employment opening.

Miss HOUGHTON stated that she notified five girls of this opening, and therefore, undoubtedly, the onion skin paper was used to type this letter, and the name of each girl was inserted in the caption subsequent to typing the letter.

RICHARD T. HRADSKY, SA

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
February 27, 1950.

Transmit the following Teletype message to:

BUREAU — WASHINGTON FIELD — URGENT

JUDITH COPLON DASH ESPIONAGE DASH R. AT BEGINNING OF MORNING SESSION LEONARD BOUDIN ARGUED COPLON'S MOTION FOR A MISTRIAL ON THE GROUNDS THAT SHE IS BEING DENIED RIGHT OF COUNSEL INASMUCH AS SUFFICIENT TIME HAS NOT BEEN GRANTED HER ATTORNEYS TO PREPARE THEM TO HANDLE THE CASE. JUDGE RYAN ASKED THE GOVERNMENT TO FILE ITS REPLY BY TEN A.M. WEDNESDAY AT WHICH TIME THE GOVERNMENT'S ARGUMENT AGAINST SUCH MOTION WILL BE HEARD. POMERANTZ THEN MADE A MOTION FOR A MISTRIAL ON THE GROUNDS THAT COPLON'S INADEQUATE COUNSEL BEFORE SHE CHANGED ATTORNEYS AND HER UNPREPARED COUNSEL AT PRESENT PREJUDICED GUBITCHEV. POMERANTZ'S MOTION WAS DENIED THE TRIAL THEN RESUMED WITH CROSS EXAMINATION OF AGENT GARDE BY POMERANTZ. WHEN ASKED IF HE DESIRED ANY CROSS EXAMINATION NEUBURGER STATED THAT SINCE COPLON'S COUNSEL ARE UNPREPARED THEY WILL NOT CROSS EXAMINE THIS WITNESS AND WILL REST ON THEIR MOTION FOR A MISTRIAL. AGENT JOHN J. WARD THEN TOOK THE STAND AND HAS COMPLETED HIS DIRECT TESTIMONY AND CROSS EXAMINATION BY POMERANTZ. NEUBURGER AGAIN REFUSED TO CROSS EXAMINE THE WITNESS ON THE SAME GROUND AT WHICH TIME JUDGE RYAN TOLD HIM THAT HE NEED NOT MAKE THAT STATEMENT AFTER EACH WITNESS HAS COMPLETED HIS TESTIMONY. JUDGE RYAN STATED THAT ALL OF THE GOVERNMENT'S WITNESSES COULD BE RECALLED BY THE DEFENSE FOR FURTHER CROSS EXAMINATION. AGENT EDWARD F. MCCARTHY WILL TAKE THE STAND AT TWO P.M. TODAY AND WILL BE FOLLOWED BY SUPERVISOR ROBERT R. GRANVILLE AND AGENT T. SCOTT MILLER.

CC: NY 65-14939

TSM/RJS (Sec #6)

Approved: NY 65-14932

Special Agent in Charge

Sent 5:42 P M

Per

65-14932-918

**Federal Bureau of Investigation
United States Department of Justice
New York, New York**

February 27, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. TUGGLES
MR. ROSEN
MR. LEVVIS
MR. NEASE
MR. GAVIN
MR. LADD
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

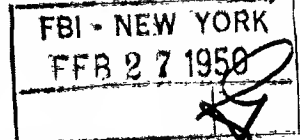
I called Mr. H. B. Fletcher of the Bureau at 12:45 pm today and advised him that in this morning's session in the COPLON trial, counsel for COPLON filed a motion for a mistrial on the grounds that she was being denied a right of counsel in that counsel was not given sufficient time to prepare her defense. This motion was argued and the judge gave the government until 10:00 am on Wednesday next to file a reply and orally argue the motion. POMERANTZ then orally moved for a mistrial on behalf of GUBITCHEV on the grounds that COPLON has had inadequate counsel throughout and still has inadequate counsel in that her present counsel has had insufficient time to prepare her defense; that this has a prejudicial effect on GUBITCHEV. He argued further for a mistrial on the grounds that her inadequate counsel and the change of attorneys have created a chaotic situation prejudicial to GUBITCHEV. The motion was denied.

SA D. F. Garde took the stand and was cross-examined by POMERANTZ. The main point which POMERANTZ was attempting to bring out was to show awareness on the part of the defendants of the surveillance. NEUBURGER then stated that counsel for COPLON would not cross-examine Agent Garde as they were totally unprepared and he wanted to renew his motion for a mistrial on the basis of unpreparedness. Judge Ryan then stated that all government witnesses who have testified would be available for cross-examination by counsel for the defendant COPLON at the completion of the government's case.

SA J. J. Ward then took the stand and completed his direct and cross-examination. At the completion of POMERANTZ' cross-examination of Ward, NEUBURGER stated that he was totally unprepared to cross-examine him and desired to renew his motion for a mistrial. Judge Ryan at that time advised him it would not be necessary for him to renew his motion at the completion of each witness' testimony. I explained to Mr. Fletcher that Messrs. Kelley and Wharty are of the opinion that both counsel, that is POMERANTZ and NEUBURGER, are going to rest their defense on unpreparedness and it is their opinion at this time that they will not put on any defense witnesses. I told him that SAs Lamphere and Webb of the Bureau, and SAs Obendorff and Courtland Jones of the Washington Field office will be necessary witnesses

cc - 65-14939 (Gubitchev)

RRG:CTC
65-14932



MEMO

NY 65-14932

February 27, 1950

and should be available in New York by 10:00 am tomorrow, February 28th.

R. R. GRANVILLE
Supervisor

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK,
FEBRUARY 27, 1950

Transmit the following Teletype message to: BUREAU & WASHINGTON (URGENT)

JUDITH COPLON, ESPIONAGE DASH R. DURING AFTERNOON SESSION AGENT R. R. GRANVILLE COMPLETED HIS DIRECT TESTIMONY AND BRIEF CROSS EXAMINATION BY POMERANTZ NEUBURGER AGAIN REFUSED CROSS EXAMINATION. AGENT R. R. GRANVILLE COMPLETED HIS DIRECT TESTIMONY AND WAS NOT CROSS EXAMINED. AGENT T. S. MILLER THEN TOOK THE STAND AND GOT AS FAR IN HIS DIRECT TESTIMONY AS IDENTIFYING THE HANDWRITTEN DOCUMENT AND ITS WRAPPER WHEN DEFENSE COUNSEL REQUESTED THE RIGHT TO ARGUE THE ADMISSIBILITY OF THESE DOCUMENTS FOUND IN COPLON'S PURSE OUT OF THE PRESENCE OF THE JURY. THE JURY WAS EXCUSED FOR THE DAY AT THREE THIRTY PM. NEUBURGER OBJECTED TO THE ADMISSION OF ANY OF THE DOCUMENTS ON THE GROUNDS THAT THEY WERE OBTAINED AS A RESULT OF AN ILLEGAL ARREST, AN ILLEGAL SEARCH, AND THAT THE LEAD HAD BEEN OBTAINED THROUGH A WIRE TAP. HE ALSO STATED THAT THEY WERE IRRELEVANT AND IMMATERIAL. THE JUDGE DENIED NEUBURGER'S MOTION ON THESE GROUNDS. POMERANTZ STATED THAT THE BIOGRAPHICAL SKETCHES WERE IMMATERIAL INASMUCH AS THEY DID NOT RELATE TO THE NATIONAL DEFENSE. KELLEY ARGUED FOR THEIR INTRODUCTION AND JUDGE RYAN FINALLY STATED THAT HE WOULD TAKE ALL THE DOCUMENTS HOME AND LOOK AT THEM FOR A RULING TOMORROW MORNING. COURT RESUMES AT TEN AM TOMORROW WITH AGENT MILLER STILL ON THE STAND.

SCHEIDT

cc: 65-14939

TSM:EBS (#6)

65-14932

Approved: _____

Special Agent in Charge

Sent 10-48 PM

Per _____

65-14932-921

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N
FEBRUARY 28

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
MR. TOLSON
MR. TRACY
MR. WATSON
MR. WELLS
MR. WOOD
MR. YERGEN
MR. ZIEGLER
MR. ALLEN
MR. BROWN
MR. CLEGG
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TERRY
MR. WARD
MR. WICK
MR. WYATT
MR. MOHR
MR. WINTERROWD
MR. BELMONT
MR. TOLSON
MR. WATSON
MR. WELLS
MR. WOOD
MR. YERGEN
MR. ZIEGLER
MR. ALLEN
MR. BROWN
MR. CLEGG
MR. GLAVIN
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TERRY
MR. WARD
MR. WICK
MR. WYATT
MR. MOHR
MR. WINTERROWD

Transmit the following Teletype message to:

BUREAU & WASHINGTON

URGENT

JUDITH COPLON, ESPIONAGE DASH R. COURT RECONVENED TEN AM THIS MORNING, AT WHICH TIME AGENT T. S. MILLER CONTINUED THE INTRODUCTION OF THE DOCUMENTS FOUND IN COPLON'S PURSE ON THE NIGHT OF HER ARREST. JUDGE RYAN RULED THAT ALL OF THE DOCUMENTS WERE ADMISSIBLE, INCLUDING THE THREE BIOGRAPHICAL SKETCHES. MR. WHEARTY READ ALL OF THE DOCUMENTS TO THE JURY AND AGENT MILLER DEMONSTRATED THE MANNER IN WHICH THEY WERE WRAPPED WHEN FOUND IN COPLON'S PURSE. THE ONLY CROSS EXAMINATION OF MILLER WAS BY POMERANTZ AND THAT WAS RESTRICTED TO HAVING MILLER GIVE THE DATES HE SURVEILLED GUBITCHEV. JUDGE RYAN ASKED MILLER IF THERE WERE ANY OTHER DAYS ON WHICH MILLER INSTRUCTED AGENTS TO SURVEIL GUBITCHEV. IN ALL, THE DATES JANUARY FOURTEEN, FIFTEEN, SEVENTEEN, FEBRUARY EIGHTEEN, NINETEEN, AND MARCH FOUR NINETEEN FORTYNINE WERE GIVEN. ALTHOUGH GUBITCHEV WAS SURVEILLED ON DAYS AFTER MARCH FOUR FORTYNINE, THOSE SURVEILLANCES DID NOT FALL IN THE CATEGORIES ASKED OF MILLER. ON CROSS EXAMINATION, THEREFORE, LATER IN THE DAY MILLER RESUMED THE STAND AND INTRODUCED INTO EVIDENCE THE SURVEILLANCE LOGS ON GUBITCHEV PERTAINING TO JANUARY SEVENTEEN, FEBRUARY NINETEEN, AND THE LOGS PERTAINING TO MARCH FOUR FORTYNINE. THE LOGS FOR JANUARY FIFTEEN AND FEBRUARY EIGHTEEN HAD PREVIOUSLY BEEN INTRODUCED INTO EVIDENCE. AGENT R. R. GRANVILLE FOLLOWED MILLER ON THE STAND AND TESTIFIED RELATIVE TO TAKING A WHITE ENVELOPE FROM GUBITCHEV CONTAINING ONE HUNDRED TWENTYFIVE DOLLARS. AGENT THOMAS J. MC ANDREWS THEN TESTIFIED CONCERNING THE INTERVIEW

cc: 65-14939
TSM:EBS (#6)
65-14932

Approved: _____

Special Agent in Charge

Sent

9-42P M

Per

65-14932-923

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
FEBRUARY 28, 1950

Transmit the following Teletype message to: BUREAU & WASHINGTON FIELD (URGENT)

(PAGE 2)

OF GUBITCHEV INCLUDING GUBITCHEV'S DENIALS THAT HE HAD EVER SEEN OR KNEW COPLON. MC ANDREWS ALSO STATED THAT GUBITCHEV HAD FOUR DOLLARS AND TWENTYFIVE CENTS IN HIS PANT'S POCKET. ROBERT J. LAMPHERE THEN TESTIFIED CONCERNING HIS COMPARING THE THIRTYFOUR DATA SLIPS FOUND IN COPLON'S PURSE WITH THE DEPARTMENTAL COPIES OF FBI INVESTIGATIVE REPORTS AND THAT HE CAUSED PHOTOSTATIC COPIES TO BE MADE OF THE TITLE PAGE AND CERTAIN OTHER PAGES OF THESE INVESTIGATIVE REPORTS. THE REPORTS THEMSELVES ARE BEING MARKED FOR IDENTIFICATION ONLY. JUDGE RYAN, OVER THE OBJECTIONS OF DEFENSE COUNSEL, IS ADMITTING LAMPHERE'S PHOTOSTATIC COPIES OF PORTIONS OF THE REPORTS AND IS EXCLUDING THE FBI REPORTS IN THEIR ENTIRETY. AT CLOSE OF COURT TODAY DATA SLIP NUMBER ONE AND NUMBER TWO, TOGETHER WITH THE CORRESPONDING PHOTOSTATIC COPIES OF PORTIONS OF THE REPORTS HAD BEEN PASSED AMONGST THE JURY SO THAT THEY COULD COMPARE THEM. LAMPHERE WILL CONTINUE IDENTIFYING THE REPORTS AND PHOTOSTATIC COPIES TOMORROW MORNING AT TEN THIRTY AM. DEFENSE COUNSEL WILL STIPULATE THE IDENTIFY OF THE TYPEWRITINGS AND HANDWRITING ON THE DATA SLIPS AND OTHER DOCUMENTS FOUND IN COPLON'S PURSE WHICH WILL DISPENSE WITH EXPERT TESTIMONY. GOVERNMENT ATTORNEYS FEEL THAT THE GOVERNMENT WILL REST ITS CASE TOMORROW AND DEFENSE COUNSEL HAS STATED THAT THEY WANT THREE DEFENSE WITNESSES AVAILABLE, NAMELY, AGENTS ARTHUR AVIGNONE, LYNN BEDFORD, AND NATHAN LENVIN, A DEPARTMENTAL ATTORNEY. IT IS EXPECTED THAT BEDFORD WILL TESTIFY CONCERNING

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
FEBRUARY 28, 1950

Transmit the following Teletype message to: BUREAU & WASHINGTON FIELD (URGENT)

(PAGE 3)

CONCERNING THE MAKING OF THE MICROPHONE RECORDS IN CONNECTION WITH THE MICROPHONE SURVEILLANCE OF COPLON'S OFFICE IN WASHINGTON, AND LENVIN WILL TESTIFY CONCERNING HIS ASSOCIATION WITH COPLON AND FOLEY IN WASHINGTON. THE DEFENSE COUNSEL WANTED GOVERNMENT ATTORNEYS TO STIPULATE AVIGNONE'S TESTIMONY TO INTRODUCE A CERTAIN DOCUMENT. THE GOVERNMENT ATTORNEYS DO NOT KNOW THE IDENTITY OF THIS DOCUMENT BUT THINK THAT IT PROBABLY IS A BUREAU MEMORANDUM PERTAINING TO THE DESTRUCTION OF DISCS AND RECORDS MADE ON THE COPLON TAP IN NYC. KELLEY WILL OPPOSE THE INTRODUCTION OF SUCH MEMO AND FURTHER STATES THAT AVIGNONE COULD NOT INTRODUCE SUCH MEMO. COURT RECESSED AT FOUR TEN PM TODAY AND WILL RECONVENE TEN THIRTY AM TOMORROW MORNING.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____



Federal Bureau of Investigation

U. S. Courthouse

Foley Square

N.Y.C.

Sec 65-14932-625

Mrs. Schweitzer
 called - told Solby
 must call by post.
 She stated Solby was
 he was to be in
 the action needed
 JMO Mara 3-2-50

53 Remsen Street
 Brooklyn 2 New York
 February 26, 1950

Gentlemen,
 I regret

Your bureau engaged the services
 of one Robert Solby - 44 Remsen Street - as "audio
 director" in the Copley - Rubitecher trial. I as-
 sume you considered that as "major retired"
 he is a man of responsibility and integrity.
 I have reason to believe that he is entirely un-
 trustworthy, completely unscrupulous, and that you
 may have overlooked a possible degeneration in
 character, if at any time in the past he
 was an upright citizen. Should you care to
 call me in this matter I shall be glad to
 discuss it. My telephone number is MA 4-937

Very truly yours,
 Martha A. Schweitzer

AFR

Searched _____
 Serialized _____
 Indexed _____
 Filed _____

FBI - NEW YORK
 FEB 28 1950
 T.S. Miller

65-14932-923A

Don

Memo -

Judith Coplon;
Esp. - R.

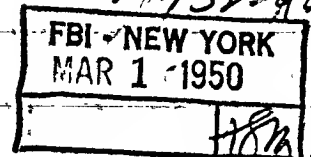
On 2/28/50, Mr. Van Allen of the Anti-Trust Division, Dept. of Justice, N.Y.C. telephonically advised me that he had located some old travel authorizations for Judith Coplon while she was employed in N.Y.

Coplon left N.Y. on Monday 12/14/44 for Wash. for 2 weeks & before that left N.Y. on 9/26/44 for Wash. for 2 weeks. Both trips were on Economic Warfare Section Business.

I had requested Mr. Van Allen some time ago to get this in conn. with the identification of Wavschin.

G. L. Miller, SA.

65-14932



Director, FBI

March 1, 1950

SAC, New York

JUDITH COPLON
ESPIONAGE - R

Transmitted herewith are photostatic copies of stipulation dated March 1, 1950, an affidavit of Special Assistants to the Attorney General Kelley and Whearty dated March 1, 1950, and an affidavit dated February 24, 1950 of SAMUEL A. NEUBURGER, LEONARD B. BOUDIN and SIDNEY S. BERMAN.

These are being transmitted for the information of the Bureau and the completion of its files and relate to the motion for a mistrial on the grounds that defendant COPLON had been deprived of her right of counsel.

encs.-3

RRG:CTC
65-14932

[Handwritten signature]

[Handwritten file number]
65-14932-925

Federal Bureau of Investigation
United States Department of Justice
New York, New York

March 1, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

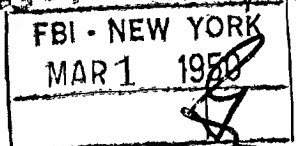
MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUGLEY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

On the afternoon of February 28, I called Mr. H. B. Fletcher of the Bureau to advise him that Mr. Kelley and Mr. Whearty feel that the government had its best day before the jury in this case today. This morning the data slips were placed in evidence very effectively by Agent Miller. The jury was extremely attentive and as each slip was identified, the photostats were made available to the jury. On cross-examination, POMERANTZ asked Miller what days GUBITCHEV was under surveillance and Miller testified as to the days that GUBITCHEV was under surveillance on and prior to March 4 of which he had knowledge. The judge then asked an additional question calling for other days which Miller directed other agents to surveil GUBITCHEV. The court then called for the record of the surveillances of GUBITCHEV. The surveillance logs of the surveillances of GUBITCHEV on March 4 and prior thereto were placed in evidence.

Mr. Granville was recalled to the stand and testified principally to the taking from GUBITCHEV of \$125 which was contained in a white envelope. Agent McAndrews went on the stand and testified as to his conversations with GUBITCHEV on the night of his arrest. On cross-examination, he was asked to recite for the jury in detail what he asked GUBITCHEV during the whole evening and what GUBITCHEV answered. The judge directed McANDREWS to take his time and give this information to the best of his recollection. McAndrews then engaged in a 15 minute soliloquy. The defense stipulated as to the testimony of the Laboratory expert on the handwriting and the type-writer; consequently, Agent Webb has been dismissed. Agent Lamphere was on the stand when the court adjourned and the court is permitting him to identify the photostatic copies of the pertinent parts of the reports which were recorded in the data slips found on defendant COPLON. At adjournment, Lamphere had gotten through two or three of these reports. Lamphere's testimony will be continued in the morning.

I then advised Mr. Fletcher that the government fully expects to rest its case tomorrow. I told him that Kelley advised that the defense has indicated that the first witnesses they want are Mr. Levin, Agent Avignone and Agent Bedford, and that I would call the Phoenix office to have Bedford available tomorrow as soon as I finished the call to Mr. Fletcher. Kelley stated that the defense indicated that the only thing they wanted Avignone for was to identify some document previously put in evidence in the pre-trial hearing in reference to the destruction of records. Kelley requested

cc - 65-14939 (Gubitchev)
WMW:CTC
65-14932



MEMO

NY 65-14932

March 1, 1950

POMERANTZ to identify what record he had reference to. Kelley's plan is to agree for the purposes of argument to the stipulation as a matter of fact, but then to argue as a matter of law that the argument is not admissible and Kelley feels that the court will sustain him. We do not know yet what document POMERANTZ is talking about.

I then called SAC Murphy at Phoenix and requested that he have Agent Bedford report immediately and send us a teletype advising when he leaves and what time he is expected to arrive.

W. M. WHELAN
ASAC.

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

----- NEW YORK, N. Y.
MARCH 1, 1950

Transmit the following Teletype message to: BUREAU & WASHINGTON FIELD (URGENT)

JUDITH COPLON, ESPIONAGE DASH R. AT TEN/TWENTY AM TODAY COURT RECONVENED AND KELLEY ARGUED AGAINST THE DEFENSE MOTIONS FOR A MISTRIAL. BOUDIN REPLIED FOR COPLON AND POMERANTZ REPLIED FOR GUBITCHEV. KELLEY THEN ANSWERED THE REPLIES AT WHICH TIME JUDGE RYAN DENIED BOTH OF THE MOTIONS FOR A MISTRIAL. AGENT LAMPHERE THEN COMPLETED IDENTIFYING THE PHOTOSTAT COPIES OF PORTIONS OF FBI REPORTS FROM WHICH THE DATA SLIPS WERE MADE. THESE PHOTOSTATS WERE INTRODUCED INTO EVIDENCE AND THERE WAS NO CROSS EXAMINATION. AGENT COURTLAND JONES THEN TOOK THE STAND AND IDENTIFIED NINE ORIGINAL DATA SLIPS WHICH HE FOUND IN COPLON'S OFFICE IN THE DEPARTMENT OF JUSTICE BUILDING AFTER HER ARREST. THESE WERE THE ORIGINALS OF NINE OF THE CARBON COPIES OF DATA SLIPS FOUND IN COPLON'S POSSESSION UPON HER ARREST. THERE WAS NO CROSS EXAMINATION OF JONES. A STIPULATION WAS THEN READ TO THE JURY BY MR. KELLEY WHICH COVERED THE FOLLOWING POINTS: ONE: CERTAIN OF THE DATA SLIPS WERE TYPED ON DEPARTMENT OF JUSTICE TYPEWRITER LOCATED IN COPLON'S OFFICE IN THAT BUILDING. TWO: CERTAIN OF THE DATA SLIPS WERE TYPED ON JUSTICE TYPEWRITER LOCATED IN COPLON'S SECRETARY'S OFFICE. THREE: CERTAIN DATA SLIPS, THE BIOGRAPHICAL SKETCHES, AND TOP SECRET PAPERS WERE TYPED ON COPLON'S PORTABLE TYPEWRITER LOCATED IN HER APARTMENT IN MC LEAN GARDENS, WASHINGTON, D. C. FOUR: THE NINE DATA SLIPS INTRODUCED INTO

Lm
cc: 65-14939
TSM:EBS (#6)
65-14932

Approved: *SW*

Special Agent in Charge

Sent *427P*

Per *JF*

65-14932-927

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.

MARCH 1, 1950

Transmit the following Teletype message to: BUREAU & WASHINGTON FIELD (URGENT)

(PAGE 2)

EVIDENCE BY JONES AND THE NINE CORRESPONDING CARBON COPIES WERE EXACT COPIES AND MADE SIMULTANEOUSLY. FIVE: THE PORTABLE TYPEWRITER IS THE PROPERTY OF COPLON AND WAS SEIZED SUBSEQUENT TO HER ARREST UNDER A SEARCH WARRANT, THE VALIDITY OF WHICH COPLON DOES NOT CONCEDE. SIX: THE HANDWRITTEN DOCUMENT RE AMTORG AND NEEDLEMAN WAS IN THE HANDWRITING OF COPLON.

THE GOVERNMENT ATTORNEYS AND COPLON'S ATTORNEYS THEN SIGNED THE STIPULATION IN FRONT OF THE JURY BUT POMERANTZ REFUSED TO SIGN IT ADDING THAT HE WOULD NOT OBJECT TO THE STIPULATION. POMERANTZ ADDED THAT HE WOULD ACCEPT KELLEY'S WORD FOR THE TRUTH OF WHAT WAS IN THE STIPULATION BUT THAT HE COULD NOT SIGN ANY PAPER SETTING FORTH FACTS NOT IN HIS PERSONAL KNOWLEDGE. THE JUDGE WOULD NOT ALLOW THE STIPULATION TO GO IN WITH ANY SUCH RESERVATION ON THE PART OF POMERANTZ. POMERANTZ HAD AGREED YESTERDAY WITH GOVERNMENT AND COPLON'S ATTORNEYS TO THE STIPULATION. THE JURY WAS DISMISSED AT TWELVE TWENTY AFTER WHICH KELLEY PLEADED SURPRISE AND ASKED FOR A RECESS UNTIL TOMORROW MORNING SO THAT THE WITNESSES NECESSARY FOR THE EVIDENCE IN THE STIPULATION COULD BE RECALLED FROM WASHINGTON. JUDGE RYAN WANTED TO KNOW IF ANY OF THE WITNESSES WERE STILL IN NY. KELLEY ADVISED HIM THAT ONLY BERTRAM COPLON WAS PRESUMABLY IN NY. JUDGE RYAN INSTRUCTED THAT COURT WILL RECONVENE AT ONE THIRTY PM TODAY AND IF THE STIPULATION IS NOT AGREED SUCH WITNESSES WHO ARE AVAILABLE WILL TESTIFY AND THEN HE WOULD FURTHER CONSIDER

TSM:EBS

65-14932

Approved: _____

Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

----- NEW YORK, N. Y.
MARCH 1, 1950

Transmit the following Teletype message to: BUREAU & WASHINGTON FIELD (URGENT)

(Page 3)

ADJOURNMENT UNTIL TOMORROW. THE NECESSARY BUREAU WITNESSES FOR SUCH
TESTIMONY PERTAINING TO THE STIPULATION ARE AGENTS WEBB, OBERNDORF, AND
MENDENHALL.

SCHMIDT

TSM:EBS
65-14932

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

New York, N.Y.

March 1, 1950

Transmit the following Teletype message to: BUREAU & WASHINGTON FIELD URGENT

JUDITH COPLON, ESPIONAGE - R. COURT RECONVENED AT ONE THIRTY P.M., TODAY, AT WHICH TIME BERTRAM COPLON, BROTHER OF JUDITH COPLON, TOOK THE STAND AND IDENTIFIED A HANDWRITTEN LETTER FROM JUDITH TO THE FBI AND TO THE FAIRMAC CORPORATION AS BEING IN THE HANDWRITING OF HIS SISTER. THE GOVERNMENT THEN ASKED FOR A RECESS UNTIL TEN A.M. TOMORROW MORNING SO THAT WITNESSES FROM WASHINGTON COULD BE MADE AVAILABLE. THESE WITNESSES ARE AGENTS OBERNDORF OF WFO AND WEBB OF THE BUREAU. WEBB SHOULD BE IN NYC BY EIGHT THIRTY A.M. TOMORROW SO HE CAN GET HIS CHARTS IN ORDER FOR TESTIFYING. OBERNDORF WILL TESTIFY FIRST. COURT CONVENES AT TEN A.M. TOMORROW. AFTER COURT WAS ADJOURNED, A CONFERENCE WAS HAD BY KELLEY WITH POMERANTZ, NEUBERGER, AND JUDITH COPLON CONCERNING WHAT GOVERNMENT WITNESSES THE DEFENSE EXPECTS TO CALL AS DEFENSE WITNESSES. POMERANTZ STATED THAT HE WANTED HOWARD FLETCHER AND KELLEY EXPECTS THAT THE DEFENSE WANTS TO QUESTION HIM ABOUT THE BUREAU MEMO REGARDING DESTRUCTION OF THE WIRE TAP RECORDS IN CONNECTION WITH CI [REDACTED] b7E

MR. FLETCHER SHOULD BE AVAILABLE BY NOON TOMORROW. THE DEFENSE ALSO, WANTED AGENT ARTHUR AVIGNONE, WHO WILL PROBABLY TESTIFY ABOUT THE DESTRUCTION OF THE RECORDS AND DISCS IN CONNECTION WITH CI [REDACTED] THE DEFENSE ALSO WANTS ETTA TAYLOR OF THE DEPARTMENT, WHO WILL EITHER TESTIFY ABOUT THE PREPARATION OF DATA SLIPS OR POSSIBLY THE FACT THAT SHE WAS REQUESTED BY COPLON BEFORE HER ARREST TO REMAIN AT THE OFFICE ONE NIGHT TO TYPE

✓	MR. SCHEIDT
✓	MR. BELMONT
✓	MR. WHELAN
✓	MR. COLLIER
✓	MR. GRANVILLE
✓	MR. HUGHES
✓	MR. KENNEDY
✓	MR. LEVVIS
✓	MR. MARCHESSAULT
✓	MR. RAGAN
✓	NIGHT SUPERVISOR
✓	MR. KING
✓	MR. TUOHY
✓	MR. WALSH
✓	MR. WOHL
✓	CHIEF CLERK
✓	PROPERTY CLERK
✓	TRAINING UNIT

cc 65-14939

TSM:AG (#6)

65-14932 Approved: [Signature]

Special Agent in Charge

Sent 9:00 P M

Per [Signature]

65-14932-928

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

2

Transmit the following Teletype message to:

A CIVIL SERVICE EXAMINATION APPLICATION TO BE SUBMITTED BY COPLON. THE DEFENSE ALSO WANTS AGENT LYNN BEDFORD, WHO IS PRESENTLY IN NYC AND WHO WILL PROBABLY TESTIFY CONCERNING THE MAKING OF THE DISCS IN CONNECTION WITH THE MICROPHONE IN COPLON'S OFFICE IN WASHINGTON. THE DEFENSE ALSO WANTS NATHAN LENVIN, A DEPARTMENTAL ATTORNEY, WHO WILL POSSIBLY TESTIFY TO A CONVERSATION BETWEEN COPLON AND FOLEY. LASTLY, THE DEFENSE REQUESTED THAT ANY ONE MONITOR OF THE NY TELEPHONE TAPS BE PRODUCED. THE NYO WILL MAKE SA LESTER O. GALLAHER AVAILABLE TO THE GOVERNMENT ATTORNEYS. GALLAHER TESTIFIED IN PRE-TRIAL HEARING AND WAS A RELIEF MONITOR ON BOTH THE COPLON AND GUBITCHEV TAPS. THE DEFENSE HAS INDICATED THAT THEY DO NOT EXPECT TO RECALL ANY FURTHER SURVEILLANCE WITNESSES, HOWEVER, ON REQUEST OF GOVERNMENT ATTORNEYS, AGENTS JOHN F. MALLEY OF SAN JUAN, AND BREWER WILSON OF OMAHA, WILL REMAIN HERE UNTIL AT LEAST FRIDAY. THE (3) DEPARTMENTAL WITNESSES ARE BEING MADE AVAILABLE BY THE GOVERNMENT ATTORNEYS AND ALL BUREAU PERSONNEL HAVE ALREADY BEEN ADVISED. JUDGE RYAN TOLD THE GOVERNMENT ATTORNEYS THAT HE WOULD ALLOW THEM TO READ ANY PORTION OF COPLON'S TESTIMONY IN WASHINGTON AS PART OF THE GOVERNMENT'S CASE. THE GOVERNMENT ATTORNEYS HAVE DECIDED NOT TO DO THIS, INASMUCH AS IT WOULD ALLOW THE DEFENSE TO READ PORTIONS OF COPLON'S TESTIMONY WHICH WOULD BE TO HER BENEFIT.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

Federal Bureau of Investigation
United States Department of Justice
New York, New York

March 1, 1950

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGGINS
MR. KENNEDY
MR. LEVITS
MR. MARCHESSAULT
MR. RYAN
MR. SUPERVISOR
MR. TERRY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

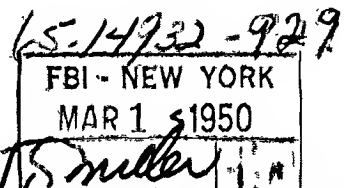
MEMO

RE: JUDITH COPLON
ESPIONAGE - R

On March 1, I called Assistant Director L. B. Nichols of the Bureau and advised him that I had received a call from LOU CRANE of the AP who stated that his wire service would like a statement from the FBI describing how much of the FBI's techniques have been revealed in the COPLON trial. Mr. Nichols stated that we should advise the press, on any such inquiries, that at this time we cannot make any comment. I called Mr. CRANE back and so advised him.

W. M. WHELAN
ASAC

WMW:CTC
65-14932





United States Department of Justice
Federal Bureau of Investigation
NEW York - New York

March 2, 1950.

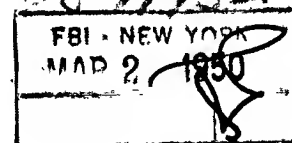
MEMORANDUM

RE: JUDITH COPLON;
VALENTINE GUBITCHEV;
ESPIONAGE - R

At 4:10 p.m. I called Mr. A. H. Belmont to advise that the defense in this case had just rested; that the court will be adjourned tomorrow; the summations will be Monday and the charge will be on Tuesday.

ES
EDWARD SCHEIDT
SAC

ES:gu



Federal Bureau of Investigation
United States Department of Justice
New York, New York

March 2, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

At 6:15 pm on March 1, 1950, Mr. H. B. Fletcher of the Bureau advised me that he would be in town at about 12 and would probably get into the office at about 1:00 pm on March 2, 1950.

T. S. MILLER
SA

TSM:CTC
65-14932

<input checked="" type="checkbox"/>	MR. SCHEIDT
<input checked="" type="checkbox"/>	MR. BELMONT
<input checked="" type="checkbox"/>	MR. WHELAN
<input checked="" type="checkbox"/>	MR. COLLIER
<input checked="" type="checkbox"/>	MR. STANVILLE
<input checked="" type="checkbox"/>	MR. EVANS
<input checked="" type="checkbox"/>	MR. HENNEY
<input checked="" type="checkbox"/>	MR. LITTON
<input checked="" type="checkbox"/>	MR. TRESSAULT
<input checked="" type="checkbox"/>	MR. ST. PROVISOR
<input checked="" type="checkbox"/>	MR. LEE
<input checked="" type="checkbox"/>	MR. TOLSON
<input checked="" type="checkbox"/>	MR. WOOD
<input checked="" type="checkbox"/>	CHIEF CLERK
<input checked="" type="checkbox"/>	PROPERTY CLERK
<input checked="" type="checkbox"/>	TRAINING UNIT

15-14932-931

FBI - NEW YORK
MAR 2 1950

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, NEW YORK

MARCH 21, 1950

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGGETT
MR. JONES
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WHEELER
MR. WIDEN
MR. WOOD
MR. ZIEGLER
MR. BELMONT
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WHEELER
MR. WIDEN
MR. WOOD
MR. ZIEGLER

Transmit the following Teletype message to: BUREAU, WASH. FIELD

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP.-R. COURT RECONVENED AT TEN AM TODAY. SA COURTLAND JONES, UPON RECALL BY POMERANTZ, TESTIFIED AS TO HIS SEARCH OF COPLON'S OFFICE ON MARCH SEVENTH, FORTY NINE. DURING SUCH TESTIMONY, IT WAS INDICATED THAT HE SAW BETWEEN FIFTY AND FIFTY/FIVE FBI INVESTIGATIVE REPORTS IN COPLON'S FILE DRAWER. POMERANTZ INQUIRED IF JONES HAD NOTES OF HIS SEARCH AND JONES SAID YES. POMERANTZ DEMANDED THE PRODUCTION OF THE NOTES WHICH WAS OBJECTED TO BY GOVERNMENT BUT COURT ORDERED THEIR PRODUCTION. SA OBERNDORF TESTIFIED CONCERNING HIS SEIZURE OF COPLON'S PORTABLE TYPEWRITER IN HER MCLEAN GARDENS APARTMENT IN WASHINGTON. ON CROSS EXAMINATION, POMERANTZ BROUGHT OUT FACT THAT OBERNDORF HAD OBSERVED CARDBOARD PAPER BOX CONTAINING FIVE BY EIGHT PIECES OF PAPER. OBJECT OF CROSS EXAMINATION WAS TO LEAVE IN MINDS OF JURY IMPRESSION THAT COPLON HAD WHOLE FILE BOX FULL OF DATA SLIPS IN HER WASHINGTON APARTMENT BECAUSE HE DID NOT QUESTION OBERNDORF CONCERNING CONTENT OF THESE SLIPS. HE REQUESTED THAT OBERNDORF REMAIN AVAILABLE FOR RECALL. AGENT WEBB OF BUREAU THEN TESTIFIED CONCERNING IDENTIFICATION OF TYPING ON DOCUMENTS FOUND IN COPLON'S POSSESSION AS BEING TYPED ON TWO DEPARTMENTAL TYPEWRITERS AND COPLON'S PERSONAL PORTABLE TYPEWRITER FOUND IN HER WASHINGTON APARTMENT. WEBB ALSO IDENTIFIED AMTORG AND NEEDLEMAN DOCUMENTS AS BEING IN COPLON'S HANDWRITING. LIKEWISE WEBB IDENTIFIED ORIGINAL DATA SLIPS FOUND IN COPLON'S OFFICE AFTER HER ARREST AS BEING THE SAME AS CARBON COPIES FOUND IN HER PURSE AT TIME OF HER ARREST. AGENT JONES WAS THEN RECALLED TO STAND WITH HIS NOTES AND UPON ORDER OF COURT BEGAN READING NOTES. WHEN JONES READ TITLE OF FIRST REPORT SA MILLER

SUGGESTED TO

Approved: SW

Special Agent in Charge

Sent

6:10 PM

Per

TSM:CTC
65-14932

cc - 65-14939 (Gubitchev)

65-14932-932

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

- 2 -

Transmit the following Teletype message to:

GOVERNMENT COUNSEL THE ADVISABILITY OF OBJECTING TO THE READING OF TITLES OF REPORTS. WHEARTY TALKED THIS OVER WITH KELLEY AND FINALLY KELLEY OBJECTED TO SUCH READING AFTER A TIME WHEN JONES HAD READ THE IDENTIFYING DATA ON THE FIRST NINE OF THE REPORTS. NEITHER NEUBURGER NOR POMERANTZ INSISTED ON FURTHER READING AND THEREFORE IT WAS STOPPED. AT THIS TIME A RECESS WAS TAKEN, AT WHICH TIME AGENTS DISCUSSED WITH KELLEY AND WHEARTY THE ADVISABILITY OF REQUESTING THAT THE NOTES OF JONES, WHICH HAD BEEN MADE A COURT EXHIBIT, BE SEPARATED AND THAT PORTIONS PERTAINING TO THE IDENTIFICATION OF FBI REPORTS BE RETURNED TO FBI AND SUCH OF JONES' TESTIMONY PERTAINING TO THE IDENTIFICATION OF THESE REPORTS BE EXPUNGED FROM RECORD. THE ALTERNATIVE WAS SUGGESTED THAT THE EXHIBIT BE SEALED BY THE COURT. THE ATTORNEYS ADVISED THAT THIS WAS THE ⁽³⁾ ONLY THING THAT COULD BE DONE. WHEN COURT RECONVENED, KELLEY MADE HIS REQUEST TO HAVE PART OF THE NOTES RETURNED AND THIS WAS DENIED BY THE COURT. KELLEY THEN REQUESTED THE ALTERNATIVE AND THIS TOO WAS DENIED BY THE COURT, BUT COURT DID STATE THAT HE WOULD RESTRICT EXAMINATION OF NOTES TO DEFENSE COUNSEL AND JURY. IT SHOULD BE POINTED OUT THAT OF THE NINE THAT HAD BEEN READ BY JONES, ONLY THREE CONTAINED THE NAMES OF THE SUBJECTS AND OF THE REMAINDER OF THE NOTES THE REPORT IS IDENTIFIED BY DATE AND AGENT ONLY. IT SHOULD ALSO BE POINTED OUT THAT AGENT JONES READ THESE NOTES VERY RAPIDLY AND NO ONE COULD BE OBSERVED TAKING NOTES ON THEM. AT THE CONCLUSION OF JONES' TESTIMONY, THE GOVERNMENT RESTED. JUDGE THEN TOLD DEFENSE COUNSEL HE WOULD EXPECT POMERANTZ TO MAKE HIS MOTIONS BETWEEN ONE FORTY FIVE AND TWO PM, AND MR.

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

---3---

Transmit the following Teletype message to:

NEUBURGER TO MAKE HIS BETWEEN TWO AND TWO FIFTEEN PM. HE SAID THAT IN THE EVENT HE DECIDED AGAINST DEFENSE ON THE MOTIONS, JURY WOULD BE CALLED BACK IN AT TWO FIFTEEN PM. JUDGE RYAN STATED HE WANTED NO ARGUMENT IN SUPPORT OF THE MOTIONS FROM EITHER OF DEFENSE COUNSEL OR THE GOVERNMENT. WHEN THE JURY IS CALLED BACK IN, POMERANTZ WILL PROCEED WITH GUBITCHEV'S DEFENSE. AT THIS TIME, MR. WHEARTY ADVISED COURT THAT POMERANTZ HAD REQUESTED SA CHARLES PECK OF SAN JUAN, P.R., BE MADE AVAILABLE AS WITNESS. HE FURTHER ADDED THAT POMERANTZ HAD ORIGINALLY ASKED FOR ANY MONITOR AND THAT GOVERNMENT HAD A MONITOR AVAILABLE. MR. WHEARTY FURTHER STATED HE DID NOT KNOW WHETHER THE TESTIMONY OF PECK WOULD BE MATERIAL TO THE ISSUES OF CASE AND FOR THAT REASON HAD NOT MADE ARRANGEMENTS TO HAVE PECK AVAILABLE AS YET. POMERANTZ THEN STATED HE DID NOT KNOW WHETHER ANY OTHER MONITOR COULD BE SUBSTITUTED FOR PECK BUT THAT HE WOULD REVIEW TESTIMONY OF OTHER MONITORS DURING NOON RECESS AND WOULD ADVISE MR. WHEARTY BY ONE FORTY FIVE PM WHETHER THEY COULD DISPENSE WITH TESTIMONY OF PECK. POMERANTZ ADDED THAT PECK'S TESTIMONY WILL DOVETAIL INTO TESTIMONY OF SEVERAL OTHER DEFENSE WITNESSES. COURT RECESSED AT TWELVE O'CLOCK AND WILL RECONVENE AT ONE FORTY FIVE PM.

SCHEIDT

The above information was furnished telephonically to Inspector A. H. Belmont of Bureau by ASAC W. M. Whelan on afternoon of 3/2/50.

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, NEW YORK
MAR. 2, 1950

Transmit the following Teletype message to: BUREAU
WASHINGTON FIELD

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. WUHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

JUDITH COPLON, ESP. R. WHEN COURT RECONVENED AT ONE FORTY FIVE PM TODAY POMERANTZ MADE HIS MOTIONS, ALL OF WHICH WERE DENIED BY JUDGE RYAN AND WHICH ARE AS FOLLOWS: ONE, TO DISMISS THE ENTIRE CASE AGAINST GUBITCHEV ON THE GROUNDS OF DIPLOMATIC IMMUNITY AND THAT THE COURT HAD NO JURISDICTION OVER HIM. TWO, TO DISMISS THE ENTIRE CASE ON THE GROUND THAT ILLEGAL WIRE TAP TOUCHED OFF ENTIRE CASE. THREE, TO DISMISS FIRST COUNT, THE CONSPIRACY COUNT, BECAUSE IT CHARGED TWO CRIMES AND WAS DUPLICATIVE. FOUR, TO STRIKE EVIDENCE TAKEN FROM GUBITCHEV AT TIME OF HIS ARREST ON GROUND THAT THE ARREST WAS ILLEGAL AND WITHOUT A WARRANT. FIVE, TO STRIKE THAT EVIDENCE ON FEB. EIGHTEEN, NINETEEN FORTY NINE PERTAINING TO THE HAND MOTION IN THAT IT MERELY CREATED SUSPICION AND THERE WAS NO CHARGE IN THE INDICTMENT THAT AN ATTEMPT TO COMMIT ESPIONAGE HAD BEEN COMMITTED ON THAT DATE. THE JUDGE REMARKED THAT THIS EVIDENCE WENT TO SHOW MOTIVE AND INTENT. SIX, TO DISMISS THE ENTIRE CASE AND GIVE A DIRECTED VERDICT OF ACQUITTAL BECAUSE OF LACK OF EVIDENCE IN THAT NONE OF THE TESTIMONY SHOWED THAT GUBITCHEV RECEIVED OR ATTEMPTED TO RECEIVE ANYTHING FROM COPLON. SEVEN, TO DISMISS THE CASE AS AGAINST GUBITCHEV BECAUSE OF THE FACT THAT THE INSTANT TRIAL HAS PLACED COPLON IN DOUBLE JEOPARDY. NEUBURGER THEN STATED THAT HE WOULD LIKE THE RECORD TO SHOW THAT HE MADE ALL OF THE

CC: NY 65-14939

TSM:EED
65-14932

Approved: _____

Special Agent in Charge

Sent

11-09P M

Per

REST

65-14932-933

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

PAGE 2

Transmit the following Teletype message to:

MOTIONS MADE BY POMERANTZ ABOVE WITH EXCEPTION OF THE ONE PERTAINING TO DIPLOMATIC IMMUNITY. JUDGE RYAN DENIED SUCH MOTIONS AND DENIED THE REMAINING MOTIONS MADE BY NEUBURGER AND SET OUT HEREINAFTER. ONE, HE RENEWED THE MOTION FOR MISTRIAL ON THE SAME GROUNDS AS STATED BEFORE, THAT IS, THAT COPLON HAD BEEN DERIVED OF THE RIGHT OF COUNSEL. TWO, TO DISMISS THE CASE BECAUSE OF THE UNLAWFUL SEARCH AND SEIZURE FOLLOWING THE ARREST. JUDGE RYAN THEN ASKED NEUBURGER IF HE IN ANY WAY CHALLENGED THE SEARCH MADE OF COPLON'S WASHINGTON APARTMENT WHEREIN THE PORTABLE TYPEWRITER WAS SEIZED ON THE AUTHORITY OF A SEARCH WARRANT. NEUBURGER STATED THAT HE WAS INCLUDING THAT IN HIS MOTION, BUT JUDGE RYAN SAID THAT HE WOULD THINK THAT NEUBURGER HAD WAIVED HIS RIGHT TO OBJECT TO THAT SEARCH INASMUCH AS NEUBURGER DID NOT OBJECT TO THE INTRODUCTION OF THE TYPEWRITER INTO EVIDENCE TODAY. THREE, TO DISMISS THE CASE BECAUSE OF THE UNLAWFUL ARREST OF COPLON WITHOUT A WARRANT. FOUR, TO DISMISS THE CASE INASMUCH AS EVIDENCE HAD BEEN INTRODUCED WHICH STEMMED FROM WIRE TAPPING. AT THIS POINT JUDGE RYAN STATED THAT HE HAD FOUND IN A PRE-TRIAL HEARING THAT THE GOVT'S INTENDED CASE WAS FROM SOURCES INDEPENDENT OF WIRE TAPS AND HE WAS MAKING A SPECIFIC FINDING NOW THAT NONE OF THE EVIDENCE GIVEN BY THE GOVT. BEFORE THE JURY STEMMED FROM A WIRE TAP. FIVE, TO DISMISS THE CASE BECAUSE EVIDENCE HAD BEEN OFFERED WHICH STEMMED FROM AN ILLEGAL

13

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

PAGE 3

Transmit the following Teletype message to:

ARREST. SIX, TO DISMISS THE CASE BECAUSE THE GOVT. HAD FAILED TO ESTABLISH A CASE BY CREDITABLE EVIDENCE OR WITNESSES. SEVEN, TO DISMISS THE FIRST COUNT CHARGED IN THE INDICTMENT/BECAUSE IT PLACED COPLON IN DOUBLE JEOPARDY. EIGHT, TO DISMISS THE SECOND COUNT AGAINST COPLON BECAUSE OF DOUBLE JEOPARDY. NINE, TO DISMISS THE FOURTH COUNT BECAUSE OF DOUBLE JEOPARDY. TEN, NEUBURGER MOVED TO HAVE THE GOVT. ELECT TO PROCEED ON EITHER COUNT TWO OR COUNT FOUR OF THE INDICTMENT. POMERANTZ THEN AROSE AND ASKED THE COURT'S PERMISSION TO HAVE RECORDS SHOW THAT HE WANTED TO MAKE ON BEHALF OF HIS CLIENT/ALL MOTIONS NEUBURGER HAD MADE AND WHICH POMERANTZ HAD NEGLECTED TO DO ON THE FIRST INSTANCE. THE JUDGE GRANTED THIS REQUEST. SINCE ALL THE MOTIONS WERE DENIED THE DEFENSE WAS THEN ASKED TO PROCEED WITH ITS CASE AND THE FIRST WITNESS WAS ETTA TAYLOR, A STENO IN THE FARS OF THE DEPT. AND WHO DID STENOGRAPHIC WORK FOR COPLON. SHE TESTIFIED THAT SHE MADE DATA SLIPS FROM FBI REPORTS AND PUT CERTAIN INFO. IN THESE DATA SLIPS WHICH COPLON HAD UNDERScoreD OR BRACKETED. THROUGH EXAMINATION, POMERANTZ STRESSED THE LACK OF SECURITY IN MAINTAINING FBI REPORTS IN THE FARS AND FURTHER, THAT SHE HAD OBSERVED COPLON THROWING MANY OF THESE DATA SLIPS IN WASTE PAPER BASKETS. POMERANTZ THEN CALLED SAAG R. P. WHEARTY AND EXHIBITED TO HIM A NEWSPAPER ARTICLE STATING THAT DUE TO THE VOLUME OF WORK, EMPLOYEES OF THE DEPT. WOULD HAVE TO WORK OVERTIME. ON CROSS-EXAMINATION OF WHEARTY, KELLEY

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

PAGE 4

Transmit the following Teletype message to:

ELICITED FROM WHEARTY THE FACT THAT A PROJECT WAS INSTITUTED FOR THE SYSTEMATIC DESTRUCTION OF OLD AND OBSOLETE DATA SLIPS TO MAKE ROOM FOR MORE CURRENT DATA SLIPS AND FURTHER, THAT THIS PROJECT HAD BEEN UNDERTAKEN BY BERNARD MORRIS AND JUDITH COPLON. WHEARTY WAS NOT ALLOWED TO TESTIFY AS TO ULTIMATE DISPOSITION OF MATERIAL PLACED IN TRASH BASKETS. AGENT LYNN BEDFORD THEN WAS CALLED TO STAND AND GENERALLY OUTLINED HIS DUTIES IN CONNECTION WITH MONITORING THE MICROPHONE AND TELEPHONE TAP ON COPLON'S OFFICE IN JUSTICE BLDG., FROM ABOUT JAN. TWENTY FIFTH TO A FEW DAYS AFTER MAR. FOUR, NINETEEN FORTY NINE. POMERANTZ QUESTIONED BEDFORD PARTICULARLY ABOUT ENTRIES IN HIS LOG BETWEEN NINE AND TEN AM ON MAR. FOUR, FORTY NINE, AND ASKED BEDFORD IF ANY ENTRY APPEARED THERE SETTING FORTH A CONVERSATION BETWEEN FOLEY AND COPLON. HE SPECIFICALLY ASKED BEDFORD IF HE OVERHEARD FOLEY TELL COPLON THAT MR. HOOVER OR MR. FORD WANTED COPLON TO GET TO WORK ON THIS IMMEDIATELY. POMERANTZ OBVIOUSLY WAS REFERRING TO THE DECEPTIVE MEMO DATED MARCH THIRD, NINETEEN FORTY NINE AND WHICH FOLEY GAVE TO COPLON BETWEEN NINE AND TEN AM ON MAR. FOUR, NINETEEN FORTY NINE. BEDFORD STATED THAT HE DID NOT HEAR SUCH A CONVERSATION AND DURING THE CROSS-EXAMINATION STATED THAT HE DID HEAR A CONVERSATION SHORTLY AFTER NINE O'CLOCK BETWEEN COPLON AND A MAN HE BELIEVED TO BE FOLEY, BUT THAT THE CONVERSATION WAS SO FAINT HE COULD NOT CATCH ANY OF THE WORDS FOLEY SAID AND ONLY A FEW OF WHAT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

PAGE 5

Transmit the following Teletype message to:

COPLON SAID. ON CROSS-EXAMINATION, KELLEY SHOWED THROUGH BEDFORD THAT BEDFORD OVERHEARD CONVERSATIONS THREE OR FOUR TIMES A DAY OVER THE MICROPHONE WHICH COULD BE CLASSIFIED AS CONVERSATIONS BUT WHICH WERE SO WEAK THAT HE COULD NOT UNDERSTAND WHAT WAS BEING SAID. DURING TIME THAT POMERANTZ WAS EXAMINING BEDFORD HE WANTED TO KNOW IF BEDFORD KNEW WHERE MICROPHONE WAS PLACED IN COPLON'S OFFICE AND WHEN BEDFORD SAID THAT HE DID NOT KNOW, POMERANTZ WANTED THE GOVT. TO STIPULATE AS TO WHERE IT WAS LOCATED. AFTER BEDFORD HAD FINISHED, BUT BEFORE HE LEFT THE STAND, THERE WAS A BENCH CONFERENCE OUT OF THE PRESENCE OF THE JURY BEFORE JUDGE RYAN AFTER WHICH KELLEY STIPULATED BEFORE THE JURY THAT THE MICROPHONE WAS LOCATED IN THE TELEPHONE. KELLEY LATER SAID THAT POMERANTZ SAID THAT HE WOULD KEEP SUBPOENAING WITNESSES UNTIL HE FOUND THE LOCATION OF THE MICROPHONE. THE STIPULATION ALSO SET OUT THAT THE GOVT. WAS NOT STIPULATING THAT THE TELEPHONE WAS ON THE DESK DURING THE PERTINENT TIME ON MAR. FOUR. MR. H. B. FLETCHER WAS THE NEXT WITNESS AND THROUGH HIM POMERANTZ INTRODUCED THE BUREAU MEMO FROM MR. FLETCHER TO MR. LADD DATED NOV. SEVEN, FORTY NINE, WHICH AUTHORIZED DESTRUCTION OF THE DISCS AND RECORDS MADE IN CONNECTION WITH THE TAP ON COPLON'S NY RESIDENCE FROM JULY TWELVE TO NOV. TEN, FORTY NINE. POMERANTZ ATTEMPTED TO GET FLETCHER TO ADMIT THAT ALL OF THE RECORDS HAD BEEN DESTROYED, BUT FLETCHER MAINTAINED THAT ONLY THE DISCS AND MONITORS' HANDWRITTEN NOTES HAD BEEN DESTROYED AND

17

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

PAGE 6

Transmit the following Teletype message to:

THAT ALL INFO. DEVELOPED OVER THE TAP WHICH WAS FELT OF A PERTINENT NATURE WAS RECORDED IN FBI REPORTS, TELETYPES, MEMORANDA, AND LETTERS. POMERANTZ TRIED TO INTIMATE TO JURY THAT HE HAD NEVER BEEN SUPPLIED WITH THIS, BUT JUDGE RYAN INDICATED THAT HE HAD. JUDGE RYAN INSISTED THAT ENTIRE MEMO BE READ TO JURY AND IT SHOULD BE POINTED OUT THAT DIRECT REFERENCE IS MADE TO CONVICTION OF JUDITH COPLON IN WASHINGTON, D.C. IT WILL BE RECALLED THAT JUDGE RYAN TOLD ALL COUNSEL THAT HE WANTED NO MENTION OF COPLON'S WASHINGTON CONVICTION BEFORE THE JURY. AT THIS POINT POMERANTZ STATED THAT THEY WANTED CHARLES PECK, WHO HAD BEEN A MONITOR ON BOTH THE COPLON AND GUBITCHEV TAPS. WHEARTY INDICATED THAT THE REQUEST HAD BEEN MADE LATE YESTERDAY AFTERNOON AND THAT PECK WAS IN SAN JUAN, P.R. THE JUDGE STATED THAT HE DID NOT THINK THIS WAS MUCH NOTICE TO GIVE THE GOVT. AND WANTED TO KNOW IF THE WITNESS WAS ABSOLUTELY NECESSARY. AT THIS POINT, NEUBURGER MADE SOME STATEMENT ABOUT HOW NECESSARY THE WITNESS WOULD BE AT WHICH TIME JUDGE RYAN MADE A REMARK THAT NEUBURGER WAS EVEN MORE FAMILIAR WITH THE RECORD THAN HE, JUDGE RYAN, WAS. AT THIS TIME THERE WAS A RECESS DURING WHICH THE COUNSEL DISCUSSED WITH JUDGE RYAN THE NECESSITY OF HAVING PECK AND IT WAS DECIDED IT WAS NOT NECESSARY. WHEN THE JURY WAS CALLED BACK IN AFTER RECESS, POMERANTZ INTRODUCED A SURVEILLANCE SCHEDULE WHICH HAD BEEN MADE BY THE NYO ABOUT A MONTH AGO SETTING FORTH THE DATES AND TIMES GUBITCHEV HAD BEEN UNDER

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

PAGE 7

Transmit the following Teletype message to:

SURVEILLANCE FROM JAN. FOURTEEN UP TO AND INCLUDING MAR. FOUR, NINETEEN FORTY NINE. POMERANTZ ALSO INTRODUCED SURVEILLANCE LOG OF GUBITCHEV FOR FEB. NINETEEN, FORTY NINE WHICH MERELY SET OUT THAT GUBITCHEV LEFT HIS APARTMENT IN COMPANY OF HIS WIFE AND WENT TO MIDTOWN AREA APPARENTLY SHOPPING. AT FOUR PM POMERANTZ STATED THAT DEFENSE RESTED AND NEUBURGER STATED THAT COPLON ALSO RESTED. JURY WAS THEN DISMISSED UNTIL TEN FIFTEEN MONDAY MORNING TO ALLOW THE DEFENSE TO PREPARE THE SUMMATION. IN JUDGE'S CHAMBERS IT WAS DECIDED AMONG COUNSEL THAT MONDAY MORNING POMERANTZ WOULD OPEN SUMMATION AND WOULD REQUIRE APPROXIMATELY AN HOUR OR AN HOUR AND A HALF AFTER WHICH NEUBURGER MIGHT GIVE A SUMMATION BUT HE INDICATED TO JUDGE THAT HE THOUGHT HE WOULD MAINTAIN HIS PRESENT POSITION OF NOT CROSS-EXAMINING ANY WITNESSES OR PREPARING ANY DEFENSE FOR LACK OF TIME. POMERANTZ STATED HE WOULD TRY TO PERSUADE NEUBURGER TO GIVE A SUMMATION OVER THE WEEKEND. KELLEY WILL REQUIRE ABOUT AN HOUR TO GIVE THE GOVT'S SUMMATION AND CLOSING ARGUMENT, AND IT IS EXPECTED BY THE JUDGE AND GOVT. COUNSEL THAT THE CHARGE WILL BE GIVEN TO JURY ABOUT TWO PM, MONDAY AFTERNOON. THE JUDGE STATED THAT AS SOON AS THE JURY GOES OUT OF THE COURTROOM, BOTH COPLON AND GUBITCHEV WILL BE REMANDED TO THE CUSTODY OF THE MARSHAL AND IN THE EVENT OF A VERDICT OF GUILTY AGAINST EITHER OR BOTH OF DEFENDANTS, THERE WILL BE NO BOND GRANTED. JUDGE RYAN TOLD

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NY 65-14932

PAGE 8

Transmit the following Teletype message to:

BOTH DEFENSE COUNSEL THAT HE WOULD PASS SENTENCE IMMEDIATELY IF THEY/ SO
DESIRED. THE DEFENSE COUNSEL STATED THAT THEY DID DESIRE THIS SO THAT
THEY COULDMAKE AN APPEAL TO THE CIRCUIT COURT FOR A REVISION OF THE
BAIL CONDITION.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, NEW YORK

DATE: February 28, 1950

FROM : DIRECTOR, FBI

SUBJECT: JUDITH COPLON, etal
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. KENNEDY
MR. LEVY
MR. MALONE
MR. ROSEN
MR. TOLSON
MR. WALKER
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

With respect to the name Maurice Borst, 73 Warrington Crescent, Haida
Yale, London, W.9, which appeared in Judith Coplon's address book when
she was arrested, the following information is available from a
confidential foreign source:

Marinus Borst, who uses the name of Maurice Borst, was born on
September 6, 1914, at Amsterdam, Holland, of Dutch parents. At the
age of six his parents brought him to the United Kingdom, where he
has lived ever since. He became a naturalized British citizen in
April, 1948. As far as is known, he is still unmarried. He was
educated at Grimsby and came to London in 1932, where he became a
traveller, warehouseman, stock-keeper, clerk and salesman respect-
ively. In May, 1940, he was convicted as an alien for being in a
protected area and sentenced to six months imprisonment. He claimed
not to know that he was in a protected area and there is good reason
to believe that contention. He served in the Army for four months in
1944 and was discharged as physically unfit. In July, 1944, he
inquired from the British Home Office about the possibility of getting
an exit permit as he expected to get a visa for America, but nothing
seems to have come of this. Since July, 1946, he has been employed
as a boot and shoe salesman by Messrs. Delman, Ltd., 16 Old Bond Street,
London, W.1. England.

There is a record of a Borst who applied for membership in the British
Communist Party in July, 1936, but it is not certain that this was
Maurice Borst.

The confidential foreign source advised they had no pertinent inform-
ation concerning the following:

Dorothy and Leslie Harrel, R.A.F. Club, Squadron 128,
Piccadilly, London W 1.
Miss Dorothy E. Peet, Reid Hall, 4 Rue de Chevreuse, Paris.
Andre Schindler, Hotel Recomier, Paris.
Erika Thimey, 2012 P Street, N.W., Washington, D.C.

The above is submitted for your information in connection with this
matter.

Searched *W*
Serialized *W*
Indexed *W*
Filed *W*

65-14932-934
FBI - NEW YORK
MAR 1 1950

Smille

REPORT
of the



FEDERAL BUREAU OF INVESTIGATION
WASHINGTON D. C.

To: SAC, Washington Field

March 1, 1950

There follows the report of the FBI Laboratory on the examination of evidence received from your office on February 24, 1950.

Re: JUDITH COPLON
ESPIONAGE - R

J. Edgar Hoover
John Edgar Hoover, Director

YOUR FILE NO. 65-5128
FBI FILE NO. 65-58365
LAB. NO. D-112763 EF

Examination requested by: Washington Field

Reference: Letter 2-23-50

Examination requested: Document

Specimens: Kc37 Two photographic copies of the signature of GREAUX CONSTANT.

Results of examination:

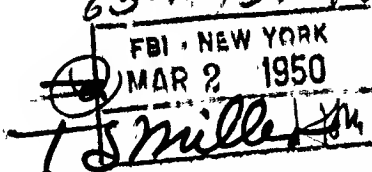
No conclusion was reached as to whether the handprinting on the card previously examined in connection with this case and designated as Q114, was prepared by GREAUX CONSTANT, whose known signature is listed above as Kc37, because this signature is not comparable with the questioned handprinting.

Specimen Kc37 will be retained in the Laboratory's files.

2 - New York

Wif

65-14932-935



607 United States Court House
Foley Square
New York 7, New York

~~CONFIDENTIAL~~ (U)

March 7, 1950

Director, FBI

RE: JOINT ANTI-FASCIST REFUGEE COMMITTEE
INTERNAL SECURITY - C

Dear Sir:

On February 28, 1950, Confidential Informant ND-517 advised this office that SAM NEUBERGER contacted HELEN BRYAN of the JAFRC and explained to her that although he had received a telegraphic invitation from DOROTHY PARKER to attend a dinner for Dr. BARKSY and although he had accepted it, he was a little doubtful about attending in view of his having become "involved in this business" (possibly the COPLON trial). According to this informant, NEUBERGER prefixed his discussion with BRYAN with the remark that he did not know whether the telephone line was tapped as the Government had said that they were not tapping telephones.

This is being submitted for the Bureau's information.

Very truly yours,

EDWARD SCHMIDT
Special Agent in Charge

CC: 100-66110 (SAM NEUBERGER)
85-14932 (JUDITH COPLON)

JPMcC:JGB/pjj
100-3642

65-14932-936

New York, New York
March 2, 1950

MEMO:

Re: JUDITH COPLON;
ESPIONAGE - R

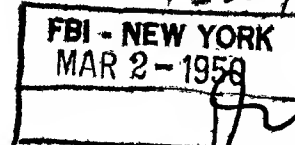
It will be noted that in her testimony given during the trial in Washington, D.C., COPLON testified that she first met VALENTINE GUBITCHEV on Saturday of the Labor Day weekend in 1948 at the Museum of Modern Art in New York City. This testimony is located on page 6917 of the transcript. The description of the date would necessarily make it coincide with September 4, 1948. She stated that she had visited the Museum sometime between 1:00 and 2:30 p.m. and left it with GUBITCHEV at about 4:30 or 5:00 p.m. (Pages 7414-7417).

In connection with the above, Mr. THOMAS POWER, JR. of the United States Mission to the United Nations was contacted. He caused a check to be made of the Security Officer's register which was located at the guard's desk in the UN Building on East 42nd Street, New York City. There was no record in this book to indicate that GUBITCHEV had signed into that building on September 4, 1948.

POWER indicated that under normal procedure, all persons entering the building on that day would have had to enter their names in the book.

MARTIN F. CAREY, SA

MFC:ac
65-14932



MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. LADD
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

New York, New York
March 7, 1950

MEMO

RE: JUDITH GOPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

At 11:25 am, in the absence of Inspector A. H. Belmont, I advised Supervisor Keay that the jury was still out.

At 11:44 am, I advised Mr. Belmont that the jury had just returned, finding both defendants guilty on Counts 1, 3 and 4 of the indictment and not guilty on Count 2.

I further advised that the jury had started deliberations at 10:00 am and that thereafter attorney BOUDINE had made a motion before the judge and in the absence of the jury for a mistrial, claiming that Count 2 so permeated the whole case that the entire indictment should be dismissed. He based his claim on the fact that the mimeographed copy of the indictment in the possession of the defense had in Count 2 stated that GOPLON had had unlawful possession, whereas the original indictment and the copy furnished to the jury had read that she had lawful possession of the papers. The defense stated that their direct examinations, cross-examinations and summation all were based on the copy of the indictment they had. The judge denied the motions, stating that he had correctly charged the jury; that the defense should have taken exception to his charge at the time of his charge inasmuch as that was the proper time to bring this matter up; that it was immaterial and surplus. United States Attorney Saypol then argued that under the old rules of criminal procedure the government was not required to serve copies of papers on defendants. The original papers are filed. Under the new rules, although it says that copies of papers should be served, Saypol argued that a failure to comply is an issue which should be raised prior to the trial and not during the trial.

Mr. Belmont requested to be advised as to the maximum sentences which could be imposed, suggesting that we obtain this information from Mr. Kelley or Mr. Whearty. At 12:10 pm, I advised him that Kelley and Whearty were up to this time inaccessible because of press appearances and television appearance, but that we had checked the statute and it was our opinion that GUBITCHEV could receive a maximum sentence of 15 years and a fine of \$20,000 and GOPLON a sentence of 25 years with a \$10,000 fine.

cc - 65-14939 (Gubitchev)

AJT:CTC
65-14932

FBI - NEW YORK
MAR 7 - 1950

65-14932-938

MEMO

NY 65-14932

3/7/50

Supervisor Granville, in a prior call, came on the phone and advised that both defendants had been remanded and were in the custody of the Marshal; that the judge had set Thursday morning at 10:30 for sentencing, at which time the defense indicated that they would renew their motions for a mistrial and dismissal and make new motions for same.

A. J. TUOHY
Supervisor

.....MR. SCHEIDT
.....MR. BELMONT
.....MR. WHELAN
.....MR. COLLIER
.....MR. GRANVILLE
.....MR. RUGGLES
.....MR. HENNESSY
.....MR. LADD
.....MR. CLEGG
.....MR. GLAVIN
.....MR. HARBO
.....MR. MOHR
.....MR. WOOD
.....CHIEF CLERK
.....PROPERTY CLERK
.....TRAINING UNIT

New York, New York
March 7, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

On the afternoon of March 7, Mr. A. H. Belmont of the Bureau requested that we immediately convey to the Bureau our recommendations for commendation, not only of the men in this office, but the men in any other offices who we know should be commended.

Supervisor Granville was advised of the foregoing.

W. M. WHELAN
ASAC

WMW:CTC
65-14932

65-14932-939

FBI - NEW YORK
MAR 7 1950
2

W

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVITS
MR. MARSHALL
MR. ROSEN
MR. TOLSON
MR. WALKER
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

New York, New York
March 8, 1950

MEMO

RE: JUDITH COPLON;
VALENTINE A. GUBITCHEV
ESPIONAGE - R

I called Mr. John McGuire of the Bureau at 5:20 pm on March 7 and advised him that I had just received a call from Mr. John Kelley to the effect that Mr. Kelley had just cut a record for a broadcast over NBC at 7:15 pm on "News of the World", and that NEUBURGER, counsel for COPLON, had also prepared a record for this broadcast. I told him that Mr. Kelley had advised me that he had forcefully spoken out concerning the defense in this case.

R. R. GRANVILLE
Supervisor

RRG:CTC
65-14932

65-14932-440

FBI - NEW YORK
MAR 8 1950

New York, N. Y.
March 8, 1950

*see index
11/18/50*
MEMO

JUDITH COPLON
ESPIONAGE-R

At 1:00 A.M. on 3/7/50 the Bureau was advised by the writer that the jury had retired for the night and that at approximately 12 midnight they had gone back and asked for additional instructions concerning Count #2 of the indictment which read:

"Judith Coplon, herein named as defendant, lawfully having possession of"

The jury foreman pointed out that the jury desired to know whether this should be "lawfully having possession of" or "unlawfully having possession of," indicating that the mimeographed copy of the indictment which the jury had in its possession had "unlawfully" with the letters "un" struck out.

I explained to Mr. Warner of the Bureau that the judge had pointed out that the indictment read "lawfully," and that upon the jury raising this question, counsel for COPLON immediately brought up the point that the copy of the indictment in their hands read "unlawfully" and that this was inconsistent with the indictment and requested a mistrial on the basis of this, claiming 1) surprise and 2) the fact that the theory of their defense had been based on mimeographed copies of the indictment.

I explained to Mr. Warner that Count #2 of the indictment, a violation of Section 793, Title 18, and that the statute states either "lawfully" or "unlawfully" and that the judge had pointed this out to the jury at the time they asked for clarification of Count #2.

I told Mr. Warner the judge had denied the motion for mistrial, pointing out that he had given the proper instructions to the jury and at that time no question had been raised by the defense counsel in regard to this matter. The judge also stated that this was merely a typographical error and was not material. However, at the request of LEONARD BOUDIN, the judge ruled that it would be possible for the defense counsel to again raise this question at the time court reconvened at 10:30 A.M., 3/7/50.

A copy of the indictment is attached.

ROBERT R. GRANVILLE, SA

65-14932
RRG:IM

65-14932-941
F. B. I.
MAR 8 1950
N. Y. C. 8
FILED



Federal Bureau of Investigation
United States Department of Justice

FD-71
(7-30-45)



IN REPLY, PLEASE REFER TO

FILE NO. _____

COMPLAINT FORM

Valentine Gubitcher
Subject's Name and Aliases

Anonymous Phone Call
Name of Complainant

Address of Subject
Esplanade R
Character of Case

Address of Complainant
Telephone Number of Complainant
3-9-57 10:40 AM
Date and Time Complaint Received

DESCRIPTION OF SUBJECT:

FACTS OF COMPLAINT:

Caller said he was Russian, "couldn't reveal his identity for obvious reasons", knows Gubitcher heard him tell another man last night that he (Gubitcher) was planning to escape into Canada or Mexico immediately after sentence.
Said he couldn't give further details and hung up.

ACTION RECOMMENDED BY AGENT:

For information purposes - file

Subitcher
Custody of Marshall
Dept. of Justice
not in U.S. with his sentence RDR

65-14932-942
J. E. Gordon
FBI - NEW YORK
MAR 9 - 1950
Special Agent
B

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK
MARCH 9 1950
MR. SCHEIDT
MR. BELMONT 36
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVY
MR. MANCHERANT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TIGHE
MR. WALSH
MR. WOHL
CHIEF OF BUREAU
PROPERTY CLERK
TRAINING UNIT

Transmit the following Teletype message to: BUREAU, WASHINGTON

JUDITH COPLON, ESPIONAGE - R. HEARING HELD THIS DATE FOUR PM BEFORE
SWAN RE APPLICATIONS OF BOTH DEFENDANTS FOR BAIL. DEFENSE COUNSEL POMERANTZ
STATED THAT SUBSTANTIAL QUESTIONS WERE OFFERED BY THE DISTRICT JUDGE RYAN'S
OPINIONS ON FOLLOWING POINTS: POMERANTZ STATED THAT RYAN ERRED IN NOT DISMISSING
GOVERNMENT CASE SINCE IT HAD BEEN ESTABLISHED THAT THE ORIGINAL CONFIDENTIAL INFORMANT
WAS A WIRE TAP. TWO, POMERANTZ BROUGHT UP THE ISSUE OF GUBITCHEV'S ALLEGED
DIPLOMATIC IMMUNITY. THREE, HE STATED THAT THE VERDICT ON COUNTS TWO AND THREE
WERE INCONSISTENT. FOUR, HE STATED THAT THE FIRST COUNT IN THE NY INDICTMENT WAS
DUPLICITOUS AND IMPROPER. GOVERNMENT COUNSEL KELLY CHALLENGED POMERANTZ TO
SHOW WHERE IT HAD BEEN ESTABLISHED OR CONCEDED THAT THE ORIGINAL CONFIDENTIAL
INFORMANT WAS A WIRE TAP. POMERANTZ STATED IT COULD BE SHOWN FROM THE TESTIMONY
OF SA AVIGNONE AND INSPECTOR H.B. FLETCHER. THE JUDGE INSTRUCTED POMERANTZ TO
BRING IN BY TOMORROW MORNING PROOF FROM RECORD ON THIS POINT. AS TO DIPLOMATIC
IMMUNITY, KELLY STATED THAT THE ISSUE HAD QUITE BEEN DECIDED IN FAVOR OF THE
GOVERNMENT BY DISTRICT JUDGES RIFKIND AND RYAN. DEFENSE COUNSEL BOUDIN STATED
THAT COPLON HAD BEEN SENTENCED IN WASHINGTON AND NY FOR THE SAME ACTS. HE CONTENTED
THAT JUDGE RYAN ERRED IN NOT GRANTING AN ADJOURNMENT OF SIXTY DAYS SO THAT COPLON'S
COUNSEL COULD HAVE ADEQUATE TIME TO PREPARE HER DEFENSE. HE CONTENTED THAT THE
SEIZURE OF PAPERS AT THE TIME OF ARREST WAS ILLEGAL SINCE THE ARREST WITHOUT A
WARRANT WAS ILLEGAL. HE CONTENTED THAT THE DEFENDANT HAD BEEN SUBJECTED TO DOUBLE
JEOPARDY. HE CONTENTED THAT UNDER THE FIRST COUNT OF THE NY INDICTMENT NO EVIDENCE
WAS PRODUCED TO SHOW A CONSPIRACY INASMUCH AS IT WAS NOT SHOWN THAT THE DEFENDANTS

cc NY 65-14939

Approved: JMO
Special Agent in Charge

Sent 11:00P M Per Reot
65-14932-943

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

---2---

Transmit the following Teletype message to:

CONVERSED ON THE THREE CRUCIAL DATES MENTIONED IN THAT COUNT OF THE INDICTMENT. HE PLEADED SURPRISE AS TO THE SECOND COUNT OF THE NY INDICTMENT ON THE GROUNDS THAT THE COPY OF THE INDICTMENT AFFORDED THE DEFENSE CONTAINED A TYPDGRAPHICAL ERROR. THE JUDGE INDICATED THAT HE WAS CONCERNED AS TO WHETHER THERE MIGHT BE A SUBSTANTIAL QUESTION OF LAW ON THE ISSUE OF LIKELIHOOD OF ESCAPE FOR JUSTIFICATION OF ARREST WITHOUT WARRANT. GOVERNMENT COUNSEL KELLY THEREUPON REVIEWED THE EVENTS OF THE MARCH FOURTH SURVEILLANCE IN AN ATTEMPT TO SHOW THE POSSIBILITY AND LIKELIHOOD OF ESCAPE. JUDGE SWAN STATED THAT HE WOULD TAKE ALL MATTERS BROUGHT UP AT THIS HEARING UNDER ADVISEMENT UNTIL TOMORROW.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
MARCH 9, 1950

Transmit the following Teletype message to: BUREAU...URGENT

JUDITH COPLON, ESP-R. COURT CONVENED TEN THIRTY AM AT WHICH TIME DEFENSE COUNSELS POMERANTZ AND BOUDIN MADE LENGTHY MOTIONS SEEKING NEW TRIAL AND DISMISSAL OF VERDICT FOR VARIETY OF REASONS WHICH THEY HAD URGED ON THE COURT AT EARLIER SESSIONS. JUDGE DENIED ALL MOTIONS. THEREAFTER GUBITCHEV WAS PERMITTED BY JUDGE TO READ FROM A PREPARED STATEMENT IN THE RUSSIAN LANGUAGE AS INTERPRETED BY MR. DE GUINZBOURG, THE INTERPRETER. GUBITCHEV'S STATEMENT WAS TO EFFECT HE WAS A DIPLOMAT, THAT IT WAS A BREACH OF INTERNATIONAL AND AMERICAN LAW TO SUBJECT HIM TO TRIAL. HE FURTHER STATED HE HAD BEEN GUILTY OF NO VIOLATIONS OF LAWS OF U.S. AND THAT THE CHARGES HAD BEEN FALSELY MANUFACTURED. GUBITCHEV CONTINUED THAT THE TRIAL BROUGHT OUT ILLEGAL ACTS OF FBI, IT SHOWED HE HAD BEEN ARRESTED WITHOUT A WARRANT AND SUBJECTED TO A LENGTHY INTERVIEW CONCERNING POLITICAL, MILITARY AND ECONOMIC AFFAIRS OF USSR. GUBITCHEV STATED FOLLOWING HIS ARREST HE HAD NOT BEEN PERMITTED EVEN TELEPHONIC CONTACT WITH OFFICIALS OF HIS GOVT. HE FURTHER STATED THAT FBI PRIOR TO TRIAL AND THEREAFTER HAD ENGAGED IN WIRE TAPPING AND HAD DESTROYED WIRE TAPPING RECORDS WHICH WOULD HAVE PROVED HIS INNOCENCE. HE STATED THAT MANY OF THE WITNESSES APPEARING AGAINST HIM WERE PERJURERS BUT THAT NO MEASURES HAD BEEN TAKEN AGAINST THEM. U.S.A. SAYPOL THEREUPON STATED THAT THE ^{record and verdict} ~~FACTS AND STATEMENTS~~ OF THE JURY REFUTED ^{all} STATEMENTS OF GUBITCHEV. SAYPOL THEN READ A LETTER FROM ATTY GENERAL TO EFFECT THAT DEPT OF JUSTICE HAD BEEN IN CONSULTATION WITH STATE DEPT RE GUBITCHEV AND THAT IT WAS RECOMMENDATION OF STATE DEPT THAT SUSPENDED SENTENCE BE GIVEN GUBITCHEV ON CONDITION HE LEAVE U.S. WITHIN TWO WEEKS AND RETURN TO RUSSIA AND NEVER AGAIN RETURN TO U.S.. THEREUPON JUDGE BEGAN HIS SENTENCING OF GUBITCHEV BY STATING THE LATTER HAD ^{received} ~~BEEN~~ A FAIR, IMPARTIAL AND

Approved: S.W.
Special Agent in ChargeSent 413 P.M. Per SB

65-14932

cc-65-14939 JMO:IM

65-14932-944 *Jim*

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

PAGE TWO

PUBLIC TRIAL, THAT HE HAD BEEN GIVEN THE PRIVILEGES EXTENDED TO ALL CRIMINALS IN THE U.S. WHICH PRIVILEGES WERE GRANTED IN VERY FEW OTHER COUNTRIES. JUDGE STATED GUBITCHEV HAD BEEN PERMITTED BAIL, HAD BEEN GIVEN COUNSEL OF HIS OWN CHOOSING AND HAD BEEN ALLOWED TO HAVE AT COUNSEL TABLE DURING PRETRIAL AND JURY TRIAL, A REPRESENTATIVE OF SOVIET EMBASSY. JUDGE TOLD GUBITCHEV HE HAD COME TO THIS COUNTRY AS AN EMISSARY OF PEACE BUT THAT HE HAD VIOLATED HIS U.N. OATH, AND HAD BETRAYED THE CAUSE OF PEACE AND MANKIND IN GENERAL. JUDGE WENT ON TO STATE GUBITCHEV ACTS HAD BEEN DONE WITH ARROGANCE AND THAT HE HAD CONTINUED THIS ARROGANCE IN COURT WITH A SMILE UPON HIS FACE. ON THE FIRST COUNT JUDGE SENTENCED GUBITCHEV TO FIVE YEARS, ON THIRD COUNT TEN YEARS. HE ORDERED THE SENTENCES TO RUN CONSECUTIVELY NOT CONCURRENTLY. JUDGE STATED IT WAS THE RESPONSIBILITY OF STATE DEPT TO HANDLE INTERNATIONAL AFFAIRS AND ACCORDINGLY HE DID NOT FEEL HE COULD QUESTION THE REASONS OR WISDOM OF THE SECY OF STATE AND THEREFORE WOULD SUSPEND SENTENCE PROVIDED ARRANGEMENTS WERE MADE FOR GUBITCHEV TO LEAVE THE COUNTRY WITHIN TWO WEEKS. JUDGE REMANDED GUBITCHEV WITHOUT BAIL AND STATED WHEN ARRANGEMENTS WERE MADE TO LEAVE, GUBITCHEV SHOULD BE TAKEN TO THE BOAT BY THE U.S. MARSHAL. THEREAFTER DEFENSE COUNSEL NEUBERGER, IN BEHALF OF COPLON, STATED THAT THE EVIDENCE IN NY TRIAL WAS SUBSTANTIALLY THE SAME AS THE WASHINGTON TRIAL AND THAT AN ADDL SENTENCE WOULD BE A CRUEL AND UNUSUAL PUNISHMENT. DEFENDANT COPLON TOLD JUDGE SHE DESIRED TO MAKE NO STATEMENT. JUDGE THEN BEGAN HIS SENTENCING OF COPLON. HE STATED A JURY OF TWELVE FELLOW CITIZENS OF HERS HAD FOUND SHE HAD BETRAYED

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Transmit the following Teletype message to:

PAGE THREE

AND ABANDONED THEM AND HER COUNTRY, THAT SHE HAD BROUGHT DISGRACE AND TRAGEDY ON HER NAME AND FAMILY, THAT SHE HAD BETRAYED THE COUNTRY WHICH HAD GIVEN HER AN OPPORTUNITY FOR EDUCATION AND WHICH HAD PERMITTED HER TO OBTAIN A POSITION OF CONFIDENCE AND RESPONSIBILITY AND THAT SHE HAD BETRAYED THAT CONFIDENCE. JUDGE STATED THAT FROM HEARING THE EVIDENCE IN COURT AND FROM OBSERVING THE DEFENDANT IN COURT IT WAS HIS OBSERVATION THAT THE SEEDS OF DISLOYALTY STILL FOUND ROOT WITHIN HER BREAST. JUDGE STATED HE FELT SUBSTANTIAL SENTENCE SHOULD BE METED OUT TO COPLON NOT ONLY AS PUNISHMENT FOR HER ACTIONS BUT ALSO AS A WARNING TO ANY WHO MIGHT DESIRE TO CONSPIRE AS SHE DID IN THE FUTURE. JUDGE STATED THAT ON THE FIRST COUNT HE WAS SENTENCING COPLON TO FIVE YEARS, ON THE FOURTH COUNT TO FIFTEEN YEARS, SENTENCES ON THESE TWO COUNTS TO RUN CONCURRENTLY. JUDGE THEREAFTER STATED THE SENTENCES FROM THIS TRIAL WERE NOT TO BE CONCURRENT WITH THE SENTENCE FROM ANY OTHER TRIAL. HE REMANDED COPLON TO THE CUSTODY OF THE MARSHAL. HE TOLD DEFENSE COUNSEL BOUDIN HE WOULD DENY BAIL FOR COPLON PENDING APPEAL AND STATED SHE HAD BEEN CONVICTED TWICE, THERE WAS NO SUBSTANTIAL QUESTION OF LAW, AND THAT HE FELT IT WAS HIGH TIME SHE PAID THE PENALTY FOR HER ACTIONS. BOUDIN TOLD JUDGE RYAN HE WAS FILING A NOTICE OF APPEAL IMMEDIATELY AND EXPECTED TO GO BEFORE CIRCUIT JUDGE SWAN AT FOUR PM THIS DATE IN ATTEMPT TO HAVE THE BAIL CONDITIONS REVIVED.

SCHEIDT

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

March 10, 1950

~~CONFIDENTIAL~~ (U)

Director, FBI

RE: JUDITH COPLON
VALENTINE A. GUBITCHEV
ESPIONAGE - R

Dear Sir:

This is a confirmation of the telephone call to the Bureau of March 8th recommending letters of commendation for the following personnel in view of their investigation and testimony in the case involving JUDITH COPLON and VALENTINE A. GUBITCHEV:

Lynn W. Bedford - Assigned Phoenix

Washington Field monitor of microphone in COPLON'S office; testified extensively in pre-trial hearing and actual trial in New York. Made excellent impression.

Alan H. Belmont - Assigned Bureau

ASAO, New York Office, of division handling instant case. Testified extensively in pre-trial hearing involving critical points. Subjected to detailed cross examination. Made excellent impression. Participated in investigation and direction of case prior to and during trial.

Richard E. Brennan - Assigned New York

Testified extensively at pre-trial hearing and during trial. Subjected to detailed cross examination. Made very creditable impression. His surveillance work was outstanding and conducted considerable investigation in this case. Testified to several critical and important points in this case.

Martin P. Carey - Assigned New York

Testified at trial, made very favorable impression. His surveillance work in connection with this case considered outstanding.

Catherine T. Condon - Assigned New York - Stenographer

Testified at trial. Subjected to considerable cross examination. Stood up well and made a most favorable impression. Participated in surveillance.

Kenneth T. Delavigne - Assigned Washington Field

Supervisor, WFO, during investigation this case. Testified pre-trial to some very critical points. Made excellent impression and was subjected to lengthy cross examination.

ES:IM
65-14937

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(U)
Confidential Letter to Director
NY 65-14932

C. Dale Dyer - Assigned Washington Field

Monitor of WFO taps in this case. Correlated material for submission to court. Testified at pre-trial hearing. Made creditable impression.

Howard B. Fletcher - Assigned Washington Field

Testified several times at pre-trial hearing and during trial to critical phases of this case. Made an excellent impression and was subjected to very lengthy and vicious cross examination.

Daniel F. Garde - Assigned New York

Testified several times during both the pre-trial and the trial. Subjected to very lengthy cross examination concerning critical phases of this case. Made an excellent impression, participated in crucial surveillances.

Robert R. Granville - Assigned New York

Supervisor, New York Office, of section handling this case during the investigation and both trials. Testified several times during pre-trial and trial concerning crucial points of the case and made excellent impression. Participated in surveillance and apprehended COPLON and GUBITCHEV.

Richard T. Hradsky - Assigned New York

Testified on two separate occasions during trial. Subjected to detailed cross examination. Handled himself exceedingly well and made most creditable impression. Participated in all surveillances on crucial days during investigation.

Courtland J. Jones - Assigned Washington Field

Testified during trial. Subjected to cross examination. Made very favorable impression. Conducted investigation of this matter in Washington.

Robert J. Lamphere - Assigned Bureau

Testified at pre-trial hearing and trial to crucial points in this case. Handled himself well and made excellent impression on stand.

Robert E. Leonard - Assigned Washington Field

WFO monitor. Testified during pre-trial hearing, supervised and played back discs for Counsel and Judge Ryan. Handled himself well and made a favorable impression.

Sappho Manos - Assigned New York - Chief Clerk

Testified pre-trial and trial. Made most favorable impression, handled herself well on the witness stand. Participated in an important surveillance during investigation this case.

Confidential Letter to Director
NY 68-14932

John F. Malley - Assigned San Juan

Testified at trial, subjected to lengthy cross examination. Made excellent impression. Participated in all important surveillances and handled these assignments in outstanding manner.

Thomas J. McAndrews - Assigned New York

Testified pre-trial hearing and trial to crucial points of this case. Subjected to lengthy cross examination. Made excellent impression. Participated in one important surveillance and in the interview of GUBITCHEV.

Edward F. McCarthy - Assigned New York

Testified pre-trial and trial. Made very creditable impression on witness stand. Participated in physical surveillances and did an excellent job.

Thomas H. Mendenhall - Assigned Washington Field

This case assigned to SA Mendenhall in Washington. Participated in extensive investigation and surveillances of subject COPLON. Testified during pre-trial and subjected to lengthy cross examination. Made very favorable impression.

T. Scott Miller - Assigned New York

Case assigned to SA Miller, New York. Performed outstanding job in investigation, correlation of entire matter. Testified at pre-trial hearing and during trial to many crucial phases of this case. His demeanor, appearance and testimony were excellent. Participated in all surveillances on crucial dates.

John R. Murphy - Assigned New York

Testified at pre-trial hearing and trial. Made very favorable impression. This agent testified to and participated in one of the most crucial phases of the physical surveillance on March 4, 1949.

Ludwig Oberndorf - Assigned Washington Field

Testified during trial to serving search warrant and seizure of COPLON'S typewriter. Was a creditable witness; not subject to cross examination.

Dudley Payne - Washington Field

Testified at pre-trial hearing. Subjected to extensive cross examination. Made a most favorable impression. Participated in physical surveillances of COPLON and investigation of this case in Washington.

Roger W. Robinson - Assigned New York

Testified pre-trial and trial. Subjected to very lengthy cross examination concerning crucial phases of this case. Made a most favorable impression. Participated in all important surveillances. His work during these surveillances outstanding.

(U)
Confidential Letter to Director
NY 65-14932

Sophie Saliba - Assigned New York - Translator

Testified during pre-trial hearing to destruction of records. Was excellent witness and was subjected to detailed cross examination.

John J. Ward - Assigned Bureau

Testified during trial. Made creditable impression. Participated in surveillance of March 4, 1949. His surveillance work outstanding.

John Ware - New York - Chauffeur

Testified at pre-trial hearing to destruction of discs. Subjected to considerable cross examination. Handled himself well on the witness stand.

Brewer Wilson - Assigned Omaha

Testified at pre-trial hearing and trial. Subjected to lengthy cross examination. Made a creditable impression. Participated in surveillance of March 4, 1949.

Robert J. Wirth - Assigned New York

Testified at pre-trial hearing and trial to crucial phases of this investigation. Subjected to lengthy cross examination. Made excellent impression. Participated in important surveillances of this case and the GUBITCHEV phases of this investigation were assigned to this agent.

Frederick E. Webb - Assigned FBI Laboratory

Furnished expert testimony regarding documents at trial; made an excellent impression. Not subject to cross examination.

Thomas E. Zoeller - Assigned New York

Testified at trial, subjected to considerable cross examination; made very favorable impression. Participated in physical surveillance of March 4, 1949.

As stated heretofore, it is the recommendation of this office that letters of commendation be directed to the above mentioned employees who played an important part in the successful investigation and conviction of the subjects of this case for violating the espionage laws of the United States.

Very truly yours,

EDWARD SCHEIDT, SAC

Searched
Serialized
Indexed

Pz

Driscoll, L. Scribner
62-7190
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62-0-99543
62-0-1004

FBI - NEW
MAR 6 10



THIS SIDE OF CARD IS FOR ADDRESS

Miller

The Director,
The Federal Bureau of Investigation
Court House, Foley Square,
New York City, N. Y.

Dear Sirs:- March 3rd 1950

Why this second trial of Judy Copley
at this time, a "hurry" job now as
some of us might wish to get her
"hung" later on? Je ne sais pas.
Tho in pure justice there is another
angle to be considered for her benefit.
Who wanted to "kidnap" her "out of jail"
is no friend, either. V'est-ce pas?
Henry L. Scribner

Searched
Serialized
Indexed

FBI - NEW YORK

MAY 6 1950

THIS SIDE OF CARD IS FOR ADDRESS

T S Miller



The Director,
The Federal Bureau of Investigation
Court House, Foley Square,
New York City, N. Y.

Hear Sirs:- March 3rd 1950

Re that gentleman F.B.I. receptionist
that I talked to last Sunday ---- He may
have the idea that I do not want the F.B.I. to
see all of my data, re. The Judy Caylor Case
because I am afraid that it would get
her a much longer sentence. I didn't mean to
create that that. It isn't the real point
at all. My apologies & all that.

William L. Sorensen
10 West 101st St.

Judith Coplon;
Espionage - R.

Judy

65-14932

65-14932-949 ^{For}

FBI - NEW YORK	
MAR 9 1950	
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FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
MAR. 10, 1950

Transmit the following Teletype message to: BUREAU - URGENT

JUDITH COPLON, ESPIONAGE R. USA SAYPOL ADVISES THAT CCA WILL TAKE NO
ACTION WITH REGARD TO PENDING MOTION BEFORE IT BY COPLON AND GUBITCHEV
RELATIVE TO GRANTING THEM BAIL PENDING AN APPEAL OVER THIS WEEKEND.
HE SAID THAT POSSIBLY MONDAY THERE WILL BE A DECISION FROM THE CCA.

SCHEIDT

RRG:MFB
65-14932

CC: 65-14939

RRG

Approved: SI

Special Agent in Charge

Sent

3 25 P M

Per Jan

65-14932-946

New York, New York
March 1, 1950

On February 27, 1950, Special Agents William E. Nummey and Richard T. Hradsky interviewed Mr. BARBU NICULESCU, 17 East 67th Street, New York City, Secretary of the New York Branch of the Rumanian National Committee.

Mr. NICULESCU advised that about January, 1949, he appeared at the Foreign Agents' Registration Section of the U. S. Department of Justice, Washington, D. C. to register as an agent of a foreign principal, and was referred to a Mr. FOLEY in charge of that section. He informed Mr. FOLEY of his identity and wish to register, and FOLEY told him that his secretary, Miss JUDITH COPLON, would interview him and record the necessary information.

Miss COPLON was notified, and within a few minutes, appeared with her notebok, and she, FOLEY and NICULESCU sat at a desk where COPLON interviewed NICULESCU. (Mr. NICULESCU was shown a photograph of JUDITH COPLON which he identified as the girl who interviewed him at the time referred to). No questions were asked by Mr. FOLEY, who merely listened to COPLON's questions and NICULESCU's answers.

NICULESCU advised that COPLON asked him questions as to the nature of his activities in the United States, who his foreign principals were, with whom he worked in the United States, and if his organization published a newspaper - all of which information he had come prepared to give to the Justice Department. He stated he explained the nature of his activities in the United States, and that although the Rumanian National Committee had not yet been formally organized, he identified the individuals with whom he was associated and who now comprise the Rumanian National Committee.

He explained that the Committee did not publish a newspaper in the United States, but that on occasions, articles pertaining to Rumanian politics were published in New York City newspapers. He further explained that his organization did have publications in Paris, France, and other cities in European countries. At this point, NICULESCU stated that COPLON began asking him embarrassing questions about the source of material which appeared in the newspapers, and he replied that the names of all authors of articles in the papers were reflected at the top of the articles, to which COPLON answered that she knew that, but that it is known that those names are fictitious, and are

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FBI - NEW YORK
MAR 13 1950
hm

assumed for journalistic purposes, and she wanted to know the real names of these people and where they were located. NICULESCU stated that he was unable to answer that question as he did not know since his position in the committee dealt primarily with political developments and he had no knowledge of secret work.

She also asked him for the identities of the publishers of the newspapers in Paris and other European countries and asked if there was an organized anti-Russian underground in Rumania and wanted to know who the leaders were.

NICULESCU stated that he was careful in his answers to these questions, and replied that it was his understanding that the Justice Department was interested only in the identities of foreign agents in the United States and their activities in the United States and not of agents in foreign countries.

COPION then showed him a letter signed by NICULESCU BUZESTI, who was connected with the International Peasant Union and whom NICULESCU knew very well. COPION stated the questions she was asking him were entirely proper and required under the Foreign Agents' Registration Act. NICULESCU stated that it was obviously an attempt to assure him that he was only being asked required questions, and that his friends and associates had given answers to these questions heretofore, and that it was, therefore, safe for him to do so. NICULESCU said that he pleaded no knowledge, and, therefore, did not have to answer.

He said that COPION was very courteous throughout the interview and manifested a great interest in his answers to her questions which disarmed his suspicions to some extent and made him feel that the Foreign Agents' Registration Section of the Justice Department was genuinely interested in the Rumanian National Committee, and that it was only about a month and a half later when he saw her photograph in a New York newspaper and read of her arrest, and he realized why she was so interested in his identity and activities, and the identities of his associates.

Richard T. Hradsky,
SA

New York 7, N. Y.
January 31, 1950

① A. Harry Becker (P.71-Serial 171)
3700 Massachusetts Ave., N.W.
Washington, D. C.
Federal Communications Commission

Mr. BECKER could testify that on one occasion his sister told him that JUDITH COPLON mentioned to her that the reason she was not getting along better at work was that her employer was aware that she had lived or roomed at the home of an individual who ran a second hand store on Seventh Street who was far to the left and possibly a Communist. BECKER stated that this was the only indication that COPLON ever gave him that she might be more aware of political matters than the ordinary. From her general conversation BECKER stated she would be classified as a liberal.

① Miss Sarah Becker (P.72-Serial 171)
18th & G Streets, N. W.
Washington, D. C.
American Red Cross

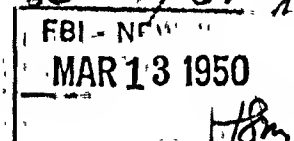
Miss BECKER could testify that concerning subject's political persuasions, she had been advised by others that while at Barnard College COPLON was a member of a liberal or radical group and there were rumors that this fact prevented her from becoming a member of Phi Beta Kappa.

COPLON seemed very sensitive toward the loyalty program and gave Miss BECKER the impression that she did not want to get involved in anything that would question her loyalty. In fact, subject seemed more sensitive toward the loyalty program than any other person Miss BECKER knows.

① Esther Pauline Annis (P.79-Serial 171)
1900 F. Street, N.W.
Washington, D. C.
State Department

ANNIS could testify that she recalls in April 1948 COPLON advised she was going to call the USSR Embassy to get a visa to visit Russia; later agreed such a call might be foolish and had given up the idea of going and had not called the Embassy.

ANNIS also recalled that COPLON asked her whether or not the play "Red Gloves" then in Baltimore, was Communist propaganda. *Jim*



① Sydney Brodie (P.89)
Department of Justice Attorney

BRODIE could testify that he recalls COPLON seemed interested in the Soviet field and attempted at one time to learn the Russian language.

① Harold David Koffsky (P.101)
1429 Saratoga Avenue, N.E.
Washington, D. C.
Department of Justice

KOFFSKY could testify that he recalled that about the time SAM CARR was arrested, COPLON requested he give her CARR'S file when he, KOFFSKY, was finished with it. It was his impression she showed unusual interest in securing CARR'S file although she could have secured it on her own authority.

① Irene May Longley (P.102)
Department of Justice

LONGLEY could testify that she once had a hard time finding a report on AMTORG or TASS. It was found in COPLON'S drawer; she appeared extremely interested in the Soviet Information Bulletin and "Soviet Russia Today."

① Bernard Samuel Morris (P.120)
Department of Justice

MORRIS could testify that COPLON'S most important assignment dealt with the Soviet Union. In this connection he stated that she had the reputation as a "file puller." She always had a great number of files concerning the Soviet Union on her desk.

① Mrs. Florence Morse, nee Fischman (P.40-Serial 287)
309 Avenue C
New York City

Mrs. MORSE could testify that during her senior year at Barnard she could state definitely that COPLON was "very liberal," by which she meant "JUDITH COPLON was on the side of the underdog all the time and very much interested in world problems."

① Pauline Braver (P.59-Serial 287)
305 West 52nd Street
New York City

BRAVER could testify that she always considered COPLON "politically conscious," with a keen interest in and knowledge of world affairs. She recalls that COPLON was sympathetic toward Russia but no more than appeared normal in 1944-1945. She never observed any tendencies toward Communism.

① Louis Nemzer (Serial 219)
Assistant Professor
Department of Political Science
Ohio State University
Columbus, Ohio

NEMZER has described COPLON as a "political sophisticate." He explained that she had a certain amount of sophistication about left wing groups. By this he said he meant that "one sometimes learns by being burned"; that COPLON knew the Party line, could interpret the Party operation, was able to analyze Party propaganda and seemed to have experience in watching the Communist Party perform.

NEMZER stated that COPLON had never mentioned any prior or present membership in the Communist Party and based on his association with her in the Justice Department, he did not feel she would have volunteered any information concerning any Communist Party connection on her part. He also said he believed COPLON was "the most accomplished actress he had ever known" and that if she were sympathetic with the Communist Party he would be "tremendously startled." He said that part of her work in the Department was to read the "Daily Worker" and other left wing publications and on many occasions he and COPLON "tossed jokes back and forth about the Communists" and as a result of these exchanges of comments about the actions of the Party, he did not believe COPLON had any connection with the Communists.

① NEMZER stated that the only clue he could offer concerning any possible Communist Party connection with COPLON was her association with MARTIN POPPER, secretary of the National Lawyers' Guild.

It is to be noted, however, that other information developed by the Washington Field Office indicates that NEMZER was a member of a so-called clique within the Department of Justice that was generally regarded as having left wing and Communist sympathies.

① Mrs. Shirley G. Samis (P.69-Serial 287)
188-45A 71st Street (Crescent)
Flushing, Long Island

Mrs. SAMIS could testify that in college COPLON was considered a "good liberal," a "Roosevelt democrat" and "New Deal democrat" and never indicated being a Communist. She contributed to Russian War Relief at Barnard like other students.

① Virginia H. James
State Department

COPLON stated

JAMES could testify that the Russians were very good on filing their statements with the FAR Section of the Department, most thorough, being more thorough and prompt than other nations, such as the British and Czechoslovakians. JAMES was puzzled by this since she knew it to be not a fact.

① Bernard S. Morris (P.76-Serial 290)
Department of State

MORRIS could testify that NEMZER'S opinion of COPLON was that she knew more about Communism than anyone in the Department of Justice. MORRIS said COPLON had a great knowledge of Communism and believed she gained it on her job.

① Louis Moses (P.80-Serial 290)
Public Housing

MOSES could testify that he met COPLON in Penn Station, New York City, February 21, 1949. In the diner she called attention to a man and asked if he didn't look like an FBI man.

① Seymour Nagan (P.84-Serial 290)

NAGAN could testify that he first met COPLON at Columbia University in 1944 at a meeting of the American Students' Union. This group, prior to the invasion of Russia, called war "imperialistic" and then changed tunes. He dropped the ASU, as he could not go along with inconsistency.

① Stanley E. Coffin (P.9-Serial 495)

(See signed statement)

① Mrs. Ralph Birns (P.32-Serial 396)
14 Monroe Street
New York City

Mrs. BIRNS advised that she was employed in the Economic Warfare Section of the Department as a stenographer at the same time COPLON was also employed as a professional analyst.

Mrs. BIRNS recalled that COPLON was very unattractive, skinny and sloppily dressed who was continually subject to attacks of boredom and depression. Mrs. BIRNS recalled that SHIRLEY ARNOW told her at one time that COPLON was very unhappy because of her home life but did not elaborate on this subject.

Mrs. BIRNS stated that COPLON complained that her work was not interesting or exciting and said that she wanted to "live dangerously." She stated that COPLON was usually annoyed at ROBERT WOHLFORTH because she either had no work to do or the work was not sufficiently interesting.

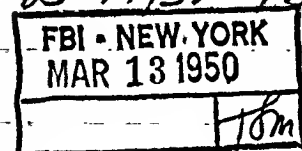
3/13/50
N.Y.C.

Judith Coplon;
S-p - R.

Attached is a memo (blind) of
J. R. Murphy setting out info. from
instant file which indicates Coplon had
liberal leanings.

T. L. Miller,
S. A.

65-14932-



FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, N.Y.

MARCH 7, 1950

Transmit the following Teletype message to: BUREAU

URGENT

ATT. MR. L. B. NICHOLS. JUDITH COPLON, VALENTINE A. GUBITCHEV, ESPIONAGE - R.
 NEW YORK WORLD TELEGRAM, SEVENTH SPORTS EDITION, CARRIES STATEMENT BY SAAG
 JOHN M. KELLEY, JR. AS FOLLOWS: "THE VERDICT WAS HAILED AS A VINDICATION OF
 THE FBI BY CHIEF PROSECUTOR JOHN M. KELLEY JR. 'THE TACTICS EMPLOYED BY
 DEFENSE COUNSEL IN BOTH THE WASHINGTON AND NEW YORK TRIALS WERE MARKED BY A
 VICIOUS ATTACK UPON THE FBI, BOTH AS AN ORGANIZATION AND AS TO INDIVIDUAL
 AGENTS,' MR. KELLEY SAID. THE VERDICT, HE ADDED, MEANT THAT 'THE COUNTRY
 AT LARGE RECOGNIZES THE EFFICIENT WORK THAT THE BUREAU CARRIES ON TWENTY
 FOUR HOURS A DAY, AND IS AWARE OF THE VICIOUS ELEMENTS WHICH SEEK TO MALIGN
 AND UNDERMINE THIS VERY GREAT ORGANIZATION. '"

SCHEIDT

 RRG:CTC
 65-14932

___	MR. SCHEIDT
___	MR. BELMONT
___	MR. WHELAN
___	MR. COLLIER
___	MR. GRANVILLE
___	MR. HUGHES
___	MR. KENNEDY
___	MR. LEVVIS
___	MR. MARCHESSAULT
___	MR. RAGAN
___	NIGHT SUPERVISOR
___	MR. KING
___	MR. TUOHY
___	MR. WALSH
___	MR. WOHL
___	CHIEF CLERK
___	PROPERTY CLERK
___	TRAINING UNIT

Approved: _____

Special Agent in Charge

Sent 11-45 PM

Per _____

65-14932-1952

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **NEW YORK, NEW YORK**

WFO FILE NO. **65-5128**

REPORT MADE AT WASHINGTON, D. C.	DATE WHEN MADE 2/24/60	PERIOD FOR WHICH MADE 9/14/49; 1/19, 25; 2/8/60	REPORT MADE BY THOMAS A. MENDENHALL TAM:JG
TITLE JUDITH COPLON			CHARACTER OF CASE ESPIONAGE - R

ADMINISTRATIVE

SYNOPSIS OF FACTS:

The records of the War Shipping Administration, Maritime Service, Merchant Marine, Coast Guard Intelligence, Passport and Visa Sections of the State Department, and Immigration and Naturalization Service were checked, but none of them contained any information concerning an individual named **JEAN CONSTANT**. Information on one **GREAUX JEAN CONSTANT** set out.

- RUC -

REFERENCES:

Report of Special Agent **THOMAS A. MENDENHALL** dated September 13, 1949, at Washington, D. C.
Report of Special Agent **T. SCOTT MILLER** dated November 4, 1949, at New York, New York.

DETAILS:

AT WASHINGTON, D. C.

Referenced reports reflect that during her trial in Washington, D.C., **COPLON** identified **JEAN CONSTANT** as a fellow passenger who came back from Europe on the same boat with her in the summer of 1948. She has also described him as a naturalized American citizen of French descent who served in the Merchant Marine. Investigation, however, has disclosed that the manifest of the S. S. Wisconsin, which arrived at the port of New York July 12, 1948, listed **COPLON** as a passenger but failed to disclose anyone by the name of **JEAN CONSTANT**. The crew member list of the S. S. Wisconsin also failed to reflect the name **JEAN CONSTANT**.

APPROVED AND FORWARDED: <i>[Signature]</i>	SPECIAL AGENT IN CHARGE <i>[Signature]</i>	DO NOT WRITE IN THESE SPACES	
		65-14932-953	Searched <i>[initials]</i> Serialized <i>[initials]</i> Indexed <i>[initials]</i>
COPIES OF THIS REPORT 5 - Bureau 3 - New York (65-14892) 2 - Miami 2 - Washington Field <i>3/15</i> <i>3/11/60</i>		FEB 24 1960 <i>[Signature]</i>	

ADMINISTRATIVE

The records of the War Shipping Administration, Maritime Service, Merchant Marine, Coast Guard Intelligence, Passport and Visa Sections of State Department, and Immigration and Naturalization Service were checked, but none of them contained any information concerning an individual named JEAN CONSTANT.

The records of the Coast Guard Intelligence, however, contained information concerning one GREUX JEAN CONSTANT, which listed his present address (1945) as MacArthur Causeway, Miami, Florida, formerly residing at Flamand, St. Barthelmy, French West Indies. His employment at that time was listed as seaman on the Foundation Aranmore.

These records reflected that CONSTANT was born June 24, 1919, at Flamand, St. Barthelmy, French West Indies, and that he was issued a Captain of the Port ID Card #07224349 in Miami, Florida, on September 21, 1945.

The records of the Immigration and Naturalization Service in Washington, D. C., were rechecked and reflected that a Form AR 102-8, Alien Registration Seaman's Form #9550961, was signed by GREUX CONSTANT on April 5, 1946, at the Immigration and Naturalization Service's office in Key West, Florida.

These records reflect CONSTANT to have been born June 24, 1919, at Flamand, St. Barthelmy, French West Indies. It describes him as male, white, single, six feet, 150 pounds, black hair, and green eyes. These records further reflected that his parents did not live in the United States, and that he had no wife and no children.

A photograph of GREUX CONSTANT's handwritten signature was obtained from the Immigration and Naturalization Service and has been furnished to the Federal Bureau of Investigation's Laboratory for comparison with Specimen Q-114, which is the business card of the Marianne et Fils Restaurant in New York, bearing in hand printing on the back the name JEAN CONSTANT. Q-114 was previously submitted to the Laboratory by the New York Office.

ADMINISTRATIVE

The seaman's form concerning GREAUX CONSTANT contained a certificate to the effect that the registrant arrived in the United States on the S. S. Crusader on March 10, 1946, at the port of Key West, Florida, and was duly admitted.

The Immigration and Naturalization Service's records contained no information with regard to the naturalization of GREAUX CONSTANT and contained no information pertaining to immigration matters or visitor's or permanent visas with regard to him.

- REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN -

LEADS

MIAMI OFFICE

AT MIAMI, FLORIDA

Will check the records of the Seventh Coast Guard District for any additional information in connection with the issuance of Captain of the Port ID #07224349 to GREGORY JEAN CONSTANT.

AT KEY WEST, FLORIDA

Will check the records of the Immigration and Naturalization Service's Office for any information concerning GREGORY CONSTANT additional to that appearing in instant report.

Director, FBI

March 13, 1950

88 *at*
SAC, New York

JUDITH COPLON
ESPIONAGE - R

Enclosed herewith is a photostat of the order of Judge Thomas W. Swan, granting JUDITH COPLON bail in the amount of \$40,000 pending her appeal of her conviction in the Southern District of New York.

enc.

TSM:CTC
65-14932

65-14932-954

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
MARCH 13, 1950

Transmit the following Teletype message to: BUREAU URGENT
WASHINGTON FIELD

JUDITH COPLON, ESPIONAGE (R). POMERANTZ, ATTORNEY FOR GUBITCHEV, APPEARED BEFORE JUDGE RYAN TODAY AND ADVISED THAT GUBITCHEV HAD MADE ARRANGEMENTS TO LEAVE THE U.S. ON MARCH TWENTY NEXT. POMERANTZ STATED THAT HE WAS APPLYING TO JUDGE RYAN FOR THE SUSPENSION OF GUBITCHEV'S SENTENCE. JUDGE RYAN SAID THAT SINCE THE CASE HAD BEEN APPEALED IT WAS BEFORE THE CIRCUIT COURT OF APPEALS AND THEREFORE NOT WITHIN THE JURISDICTION OF THE DISTRICT COURT. IT WAS POINTED OUT TO POMERANTZ THAT THE APPEAL WOULD HAVE TO BE VACATED AND THE CASE SENT BACK TO THE DISTRICT COURT BEFORE THE SENTENCE COULD BE SUSPENDED. US ATTORNEY SAYPOL ADVISED THAT POMERANTZ LATER STATED THAT HE WILL VACATE THE APPEAL. LATE THIS AFTERNOON JUDGE SWAN OF THE CCA SIGNED AN ORDER GRANTING BAIL TO COPLON IN THE AMOUNT OF FORTY THOUSAND DOLLARS. CLERK'S OFFICE CLOSED FOR DAY SO IF COPLON CAN MAKE BAIL IT WILL PROBABLY BE TOMORROW. BUREAU WILL BE ADVISED WHEN AND IF SHE MAKES IT.

SCHEIDT

cc - 65-14939

TSM:EG (#6)
65-14932

✓	MR. SCHEIDT
✓	MR. BELMONT
✓	MR. WHELAN
✓	MR. COLLIER
✓	MR. GRANVILLE
✓	MR. HUGHES
✓	MR. KENNEDY
✓	MR. LEVVIS
✓	MR. MARCHESSAULT
✓	MR. RAGAN
✓	NIGHT SUPERVISOR
✓	MR. KING
✓	MR. TUOHY
✓	MR. WALSH
✓	MR. WOHL
✓	CHIEF CLERK
✓	PROPERTY CLERK
✓	TRAINING UNIT

Approved: _____

Special Agent in Charge

Sent 11-19P M

Per _____

65-14932-955 Jm

"News of the World" Broadcast
March 7, 1950 7:15 p.m.
WNBC

John M. Kelley, chief prosecutor, paid a tribute to the FBI, whose Agents, he said, had been much maligned by the defense:

"Any credit for this victory must go principally to the FBI, for without the vigilance and the perseverance of its Agents, Miss Coplon and the Russian Gubitchev would never have been apprehended, let alone convicted."

65-14932-956

FBI - NEW YORK
MAR 15 1950
18M

Director, FBI

March 14, 1950

W
SAC, New York

JUDITH COPLON
ESPIONAGE - R

Enclosed herewith is the original and one copy of a transcript of a broadcast over NBC at 7:15 P.M., March 7, 1950 on "News of the World" wherein Mr. John M. Kelley made commendatory statements concerning the Bureau in connection with the investigation of JUDITH COPLON.

Enc-2

65-14932
RRQ:IM

[Handwritten signature]

65-14932-957

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE NEW YORK, NEW YORK

MARCH 14, 1950

Transmit the following Teletype message to: BUREAU & WFO - URGENT


JUDITH COPLON, ESPIONAGE -R. YESTERDAY POMERANTZ FILED A MOTION WITH THE CIRCUIT COURT OF APPEALS TO VACATE GUBITCHEV'S APPEAL OF HIS CONVICTION SO THAT HE COULD APPEAR BEFORE JUDGE RYAN AND OBTAIN SUSPENSION OF THE SENTENCE INASMUCH AS GUBITCHEV WAS LEAVING THE US ON MARCH TWENTY NEXT. LATE THIS AFTERNOON POMERANTZ AND USA SAYPOL APPEARED BEFORE JUDGE SWAN OF THE CCA AND POMERANTZ STATED THAT GUBITCHEV WANTED TO APPEAL THE CONVICTION AND STILL LEAVE THE COUNTRY. SAYPOL ARGUED THAT THIS COULD NOT BE DONE BECAUSE THE ORIGINAL SENTENCE WAS IN THE ALTERNATIVE, THAT IS, GUBITCHEV RECEIVED FIFTEEN YEARS BUT IF HE LEFT THE US WITHIN TWO WEEKS, THERE WOULD BE A STAY OF EXECUTION OF THE SENTENCE AND THERE COULD BE NO APPEAL FROM THE STAY OF EXECUTION. JUDGE SWAN AGREED. THEREUPON POMERANTZ WITHDREW HIS MOTION FOR VACATING THE APPEAL AND SAID THAT GUBITCHEV WOULD REMAIN IN THE US, APPEAL THE CASE AND THAT POMERANTZ WOULD PRESS THE BAIL QUESTION BEFORE THE CCA ON MARCH TWENTYONE NEXT. COPLON'S ATTORNEYS HAVE OBTAINED AN ORDER FOR REFUNDING THE TWENTY THOUSAND DOLLAR BOND PUT UP PENDING THE NY TRIAL. AT TIME OF CLOSING TODAY, CLERKS OFFICE, SDNY, HAD RECEIVED NO APPLICATION FROM COPLON'S ATTORNEYS FOR PUTTING UP THE FORTYXN THOUSAND DOLLAR BOND. BUREAU WILL BE KEPT ADVISED OF DEVELOPMENTS.

SCHEIDT


CC: 65-14939

TSM:FJS (#6)

65-14932

Approved: 

Special Agent in Charge

Sent 9:32p MPer Hay65-14932-958 

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. LARK
MR. HUGHES
MR. LEVY
MR. ROSS
MR. TOLSON
MR. TRACY
MR. WALKER
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

New York, N.Y.
March 9, 1950.

Mr. Clyde Tolson called me this morning and instructed that now that the COPLON trial is over, in any contacts we have with Judge Sylvester Ryan we should try to get across to him our feeling with reference to his gratuitous ruling on wire tapping; that we should take occasion to get this across to him because by it he hurt the Bureau pretty badly.

LS:ga

FBI - NEW YORK
MAR 9 1950

FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
MARCH 15, 1950

Transmit the following Teletype message to: BUREAU...URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESP-R. AT TEN THIRTY AM THIS DATE

ADVISED OF AN INQUIRY BY AN UNKNOWN INDIVIDUAL AT THE SOVIET DELEGATION HERE TO ONE BENNETT AT UNITED NATIONS AS TO WHETHER GUBITCHEV'S SALARY WOULD CONTINUE UNTIL TERMINATION OF HIS CONTRACT OR UNTIL MARCH TWENTIETH NEXT. BENNETT REPLIED THAT THE DECISION WAS UP TO MR. BYRON PRICE AND THAT THE LATTER WOULD PROBABLY MAKE A DECISION TODAY AND PAYMENT WOULD BE MADE SHORTLY THEREAFTER. UNKNOWN INDIVIDUAL AT SOVIET DELEGATION THEN INQUIRED AS TO QUOTE WHO WILL PAY THE TRAVELLING EXPENSES UNQUOTE. BENNETT REPLIED THAT HE DID NOT KNOW AS YET. THE UNKNOWN INDIVIDUAL THEN COMMENTED THAT MRS. GUBITCHEV HAD NO MONEY. BENNETT REPLIED THAT A DECISION WOULD BE FORTHCOMING ON THAT ISSUE. INFORMANT WAS NOT ABLE TO ACCURATELY INTERPRET AS TO WHETHER THE QUESTION AS TO TRAVELLING EXPENSES REFERRED TO BOTH MR AND MRS GUBITCHEV OR ONLY TO THE LATTER. ABOVE FOR INFO OF BUREAU IN LIGHT OF STATEMENTS OF POMERANTZ YESTERDAY THAT GUBITCHEV WOULD NOT LEAVE ON MARCH TWENTIETH.

b7E

SCHEIDT

65-14932
cc-65-14937

JMO:IM

Approved: SW

Special Agent in Charge

Sent 2:10 P MPer AB

65-14932-960

NEW YORK, NEW YORK
MARCH 15, 1950

BUREAU --- WASHINGTON FIELD - URGENT

VALENTINE A. GUBITCHEV, ESPIONAGE DASH R. AT ELEVEN THIRTY AM TODAY POMERANTZ, NOVIKOV AND USA SAYPOL APPEARED BEFORE JUDGE RYAN. POMERANTZ STATED THAT WHEN HE MADE HIS STATEMENT ON MARCH THIRTEEN NINETEEN FIFTY ABOUT GUBITCHEV RETURNING TO THE SOVIET UNION AND GIVING UP HIS RIGHT OF APPEAL HE HAD NO AUTHORITY FROM GUBITCHEV TO DO SO. POMERANTZ SAID THAT HE NOW HAS AUTHORITY TO SPEAK FOR GUBITCHEV AND THAT GUBITCHEV WILL ACCEPT THE GRACE OF THE COURT AND RETURN TO THE SOVIET UNION ON MARCH TWENTY NEXT. USA SAYPOL STATED THAT IT WAS NECESSARY FOR POMERANTZ TO WITHDRAW HIS MOTION FOR APPEAL BEFORE THE CIRCUIT COURT OF APPEALS AND INSISTED THAT POMERANTZ WITHDRAW HIS MOTION FOR FIXING BAIL BEFORE THE CCA. SAYPOL STATED THAT HE WANTED THE WITHDRAWAL OF THE MOTION FOR APPEAL TO BE WITH PREJUDICE WHICH MEANS THAT SUCH MOTION CANNOT BE FILED AGAIN. THIS WAS ACCEPTABLE TO POMERANTZ. SAYPOL AND POMERANTZ WILL GO BEFORE THE CCA AND ARRANGE THE ABOVE WITHDRAWAL OF MOTION. SAYPOL ALSO STATED THAT HE WOULD MAKE ARRANGEMENTS FOR GUBITCHEV'S DEPARTURE FROM U.S. IN CONFORMANCE WITH JUDGE RYAN'S INSTRUCTIONS THAT GUBITCHEV BE PLACED ON THE BOAT. JUDGE RYAN INSTRUCTED THAT GUBITCHEV APPEAR BEFORE HIM AT TEN A.M. MARCH TWENTY NEXT SO THAT THE CONDITIONS OF HIS SENTENCE MAY BE GRANTED SO THAT HE MAY DEPART FROM THE U.S. BUREAU WILL BE KEPT ADVISED OF DEVELOPMENTS.

CC: 65-14932
TSM/HJS (SAC. 40)
65-14939

SCHMIDT

Above information was furnished to Mr. BELMONT at the Bureau by Mr. WHELAN at 11:45 A.M., March 15, 1950

Sm
65-14932-961

New York, N. Y.
March 14, 1950

MEMO

Re: JUDITH COPLON
ESPIONAGE - R

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

I called Mr. J. E. Edwards of the Bureau at 1:35 P. M. today in answer to his earlier call to ASAC William M. Whelan, wherein he requested the details concerning PALMER's dismissal as attorney for COPLON. I pointed out to Mr. Edwards that this incident occurred during the time that SA Daniel F. Garde was on the stand and apparently was touched off when Garde was able to bring out details concerning a surveillance of 1/19/50 in particular the instances wherein COPLON and SHAPIRO were surveilled to the Taft and Picadilly Hotels. I furnished Mr. Edwards with the pages of the transcript in Judge Ryan's Chambers 2/16/50 wherein this matter was referred to and pointed out to him that this manuscript was forwarded to the Bureau by cover letter 2/17/50. It was pointed out to Mr. Edwards that, from a review of these pages it will be seen that testimony of SA Garde appeared to be an important factor in the dismissal of PALMER. I also advised him that from a review of the transcript it appears that the following were the general reasons for PALMER's dismissal:

1. That COPLON did not feel her liberty should be entrusted to PALMER.
2. Their relationship deteriorated to the point where they were hardly speaking.
3. PALMER used foul and abusive language to her in the presence of Guards, Marshals, and others.
4. PALMER struck her and ~~threw~~^{let} across the office.
5. PALMER flatly refused to discuss the case with her.
6. PALMER refused to cooperate with POMERANTZ by furnishing POMERANTZ with transcript of testimony.
7. COPLON did not feel that PALMER was looking after her best interests and was asking questions of witnesses which would be prejudicial to her, apparently referring to Garde's testimony of 1/19/50.

Mr. Edwards advised that he believed this would be sufficient.

ROBERT R. GRANVILLE, SA

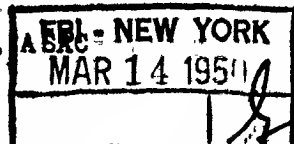
RRG:MFB
65-14932

ADDENDUM:

Mr. J. E. Edwards of the Bureau called on the morning of 3/14/50 and requested the details concerning the discharge of PALMER by COPLON.

WMW:MFB
65-14932

WILLIAM M. WHELAN,



65-14932-963

March 8, 1950

Honorable Irving H. Saypol
United States Attorney
Court House Building
New York, New York

My dear Mr. Saypol:

Your most commendatory remarks concerning the FBI and its investigative endeavors in connection with the trial of Judith Coplon and Valentin Gubitehev in New York have been brought to my attention.

I did want to express my deep appreciation for your gracious references to our organization and I hope our activities will always be deserving of your complete confidence and approval.

Sincerely yours,

J. E. Hoover

✓CC: New York

MR. SCHEIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. CONNELLEY
MR. TOLSON
MR. ROSEN
MR. LADD
MR. CLEGG
MR. GLAVIN
MR. HARBO
MR. MOHR
MR. WINTERROWD
MR. WOOD
MR. WOOD
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

65-14932-964
FBI - NEW YORK
MAR 13 1950
75 Miller 18h

Searched.....
Serialized.....*fw*.....
Indexed.....
Filed.....*fw*.....

MR. SCHMIDT
 MR. BELMONT
 MR. WHELAN
 MR. COLLIER
 MR. GRANVILLE
 MR. LUNDEN
 MR. KENNEDY
 MR. LUNYIS
 MR. MARCESSAULT
 MR. RAGAN
 NIGHT SUPERVISOR
 MR. KING
 MR. TIGHT
 MR. WALSH
 MR. WOHL
 PROPERTY CLERK
 TRAINING UNIT

New York, New York
 March 17, 1950

MEMO

Re: JUDITH COPLON
 ESPIONAGE - R

On March 15, 1950 I called Inspector Belmont at the Bureau and advised him that United States Attorney Saypol had advised me that the Court had instructed him, first, to arrange to have GUBITCHEV before him at 10 a.m. on March 20, 1950, and to make arrangements to have GUBITCHEV placed on board ship, as per the Court's previous instructions. SAYPOL said further that the Judge instructed him to accompany the Marshals and report back to the Court after GUBITCHEV had been placed on board ship.

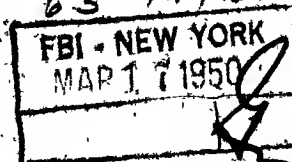
Mr. SAYPOL requested that an agent or agents accompany him. He stated that our men were completely familiar with the case and that if anything arose, he wanted to have the advantage of an Agent's knowledge of the case. Further, he had complete confidence in the Agents knowing how to handle themselves and he thought that as a precautionary measure, it would be well to have an Agent with him.

I advised Mr. Belmont that although I did not think it was absolutely necessary to have an agent accompany Mr. Saypol, I felt that this departure would undoubtedly be quite a colorful one from a news angle, and would probably be covered quite completely, and that the Bureau could obtain some favorable mention by acceding to Mr. Saypol's request.

Mr. Belmont called back on the evening of March 15, 1950 and advised Supervisor Bowen F. Rose that the Bureau O.K.'d having an agent go with Mr. Saypol as an observer and for the purpose of reporting to the Bureau any developments of interest in the matter of the departure of GUBITCHEV.

WILLIAM M. WHELAN, ASAC

WMW:MRW



FEDERAL BUREAU OF INVESTIGATION

UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N. Y.
MARCH 17, 1950

Transmit the following Teletype message to:

BUREAU.....URGENT

JUDITH COPLON, VALENTINE A. GUBITCHEV, ESPIONAGE-R. INFO RECD THIS DATE

FROM [REDACTED] WERE MADE

b7D

[REDACTED]
[REDACTED]
[REDACTED] INFT ADVISES THAT ABOVE INFO
STRICTLY
TO BE REGARDED AS CONFIDENTIAL SINCE U.N. DOES NOT WANT ABOVE FACTS KNOWN.

SCHEIDT

JMO:IM

65-14932

cc - 65-14932

Approved: SW

Special Agent in Charge

Sent 7UP MPer RENT

65-14932-966

New York, N. Y.
March 20, 1950

MEMO

Re: JUDITH COPLON;
ESPIONAGE - R

MR. SCHMIDT
MR. BELMONT
MR. WHELAN
MR. COLLIER
MR. GRANVILLE
MR. HUGHES
MR. KENNEDY
MR. LEVVIS
MR. MARCHESSAULT
MR. RAGAN
NIGHT SUPERVISOR
MR. KING
MR. TUOHY
MR. WALSH
MR. WOHL
CHIEF CLERK
PROPERTY CLERK
TRAINING UNIT

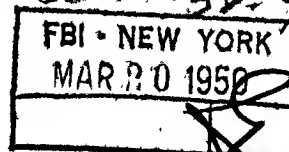
I called Inspector Carl Hennrich at the Bureau at 10:30 A. M., 3/20/50, and advised him that Judge Ryan had just revoked the sentence he imposed on VALENTIN GUBITCHEV on 3/9/50 and has resented him to an identical term but has suspended execution of sentence and placed him on probation on condition that he immediately be placed on the SS BATORY never again to return to the United States. The Judge has instructed USA Irving H. Saypol to accompany the Marshals in placing GUBITCHEV on board and he is to file a written report with the Court upon his return. The Judge also announced in open court that he was only taking this action in reference to the suspension of GUBITCHEV's sentence on the recommendation of the Attorney General and the Secretary of State.

I further advised that the present plans are that SA John M. O'Mara is to accompany USA Saypol. GUBITCHEV will be placed on board the BATORY shortly before it pulls away from the dock at approximately 11:30 A. M. The Marshals, USA Saypol, and SA O'Mara will stay on board the ship until it reaches the point in the harbor where the pilot is taken off and will then disembark and follow the BATORY for some thirty minutes, after which they will return.

WILLIAM M. WHELAN, ASAC

WMW:MFB
65-14932

CC: 65-14939



New York, N. Y.
March 21, 1950

MEMO

RE: JUDITH COPLON
ESPIONAGE - R

SA Vincent Dougherty advised on March 20, 1950, that DANTON WALKER, radio commentator, on March 19, 1950, at 9:45 P.M. over Station WOR, made the following statement:

"One of the prosecutors in the Judith Coplon case imbibed too freely while on his vacation in Florida and permitted a somewhat compromising picture to be taken. The defense plans to play up this slip."

I telephonically contacted Mr. Belmont of the Bureau and advised him of the above and explained this was merely a summary and that if the Bureau so desires, this office would obtain a transcript of the broadcast.

Mr. Belmont requested we do nothing on this until the Bureau advised.

ROBERT R. GRANVILLE, SA

RRG:IM
65-14932

Sm

65-14932-970
F. B. I.
MAR 21 1950
N. Y. C.

fw

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NEW YORK, N.Y.
MARCH 20, 1950

Transmit the following Teletype message to: BUREAU - URGENT

JUDITH COPLON, VALENTIN GUBITCHEV, ESPIONAGE R. SUBJECT GUBITCHEV LEFT U. S. COURT HOUSE THIS DATE AT ELEVEN THIRTY AM UNDER CUSTODY OF U.S. MARSHALS, BOARDED SS BATORY AT PIER EIGHTY EIGHT NORTH RIVER AT ELEVEN FIFTY AM. SHIP LEFT PIER AT TWELVE TEN PM. BY PERMISSION OF USA SAYPOL, MR. LEV TOLCKONNIKOV AND MR. YURI NOVIKOV, FIRST AND THIRD SECRETARIES, RESPECTIVELY, OF USSR EMBASSY, WERE PERMITTED TO STAY ABOARD SHIP UNTIL QUARANTINE. SUBJECT GUBITCHEV AND WIFE POSED FOR NUMEROUS PHOTOGRAPHS IN STATE ROOM PRIOR TO DEPARTURE OF SHIP. ALSO ABOARD SHIP UNTIL QUARANTINE WERE FIVE US MARSHALS, IMMIGRATION OFFICERS, CUSTOMS OFFICERS, USA SAYPOL, MR. RAYMOND WHEARTY, D. J., AND SA JOHN M. O'MARA OF THIS OFFICE.. GUBITCHEV REMAINED IN STATEROOM WITH IMMIGRATION OFFICERS UNTIL SHIP REACHED QUARANTINE, AT WHICH POINT THE SOVIET REPRESENTATIVES, IMMIGRATION OFFICERS, CUSTOMS OFFICERS, AND REMAINING U. S. GOVERNMENT REPRESENTATIVES LEFT VIA COAST GUARD CUTTER AND SHIPPING COMPANY LAUNCH AT ONE FORTY PM. DEPARTURE EFFECTED WITHOUT INCIDENT. (ABOVE DETAILS HAVE BEEN FURNISHED TELEPHONICALLY

TO INSPECTOR A. H. BELMONT BY ASAC W. M. WHELAN.)

SCHEIDT

JMO:MFB (#6)
65-14932

CC: 65-14939

*do not include in outgoing
copy.*

Approved: *[Signature]*

Special Agent in Charge

Sent *435P*

Per *[Signature]*

65-14932-969 *[Signature]*

MR. SCHEIDT
MR. WHELAN
MR. TOLSON
MR. LADD
MR. CLEGG
MR. GLAVIN
MR. HARBO
MR. JONES
MR. NICHOLS
MR. ROSEN
MR. TRACY
MR. WATSON
MR. WHELAN
MR. WOOD
MR. YERGEN
MR. ZIEGLER
MR. BELMONT
MR. MOHR
MR. PENNINGTON
MR. QUINN
MR. TERRY
MR. WHELAN
MR. WOOD
MR. YERGEN
MR. ZIEGLER
MR. BELMONT
MR. MOHR
MR. PENNINGTON
MR. QUINN
MR. TERRY
MR. WHELAN
MR. WOOD
MR. YERGEN
MR. ZIEGLER
MR. BELMONT
MR. MOHR
MR. PENNINGTON
MR. QUINN
MR. TERRY
MR. WHELAN
MR. WOOD
MR. YERGEN
MR. ZIEGLER
MR. BELMONT
MR. MOHR
MR. PENNINGTON
MR. QUINN
MR. TERRY
MR. WHELAN
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FEDERAL BUREAU OF INVESTIGATION

Form No. 2

THIS CASE ORIGINATED AT **NEW YORK**

N. Y. FILE NO. **65-14932**

KW

REPORT MADE AT: NEW YORK	DATE WHEN MADE: MAR 22 1950	REPORT MADE BY: T. SCOTT MILLER, JR.
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NAME OF CONVICT WITH ALIASES:

JUDITH COPLON

VIOLATION:

**ESPIONAGE (R);
REMOVAL, CONCEALMENT AND ILLEGAL POSSESSION
OF GOVERNMENT PROPERTY**

PAROLE REPORT

OUTLINE OF OFFENSE

JUDITH COPLON was a political analyst in the Foreign Agents' Registration Section, Criminal Division, Department of Justice in Washington, D. C. from February 16, 1945 until March 4, 1949. As such, she had access to and reviewed reports of the Federal Bureau of Investigation dealing with investigations pertaining to the internal security of the United States.

On January 14, 1949, Agents of the F.B.I. followed COPLON from Washington, D. C. to New York where she immediately went to upper Manhattan taking a circuitous route to arrive at the corner of 193rd Street and Broadway. There she met VALENTINE ALEXSEEVICH GUBITCHEV, a Soviet national attached to the Secretariat of the United Nations, as an engineer. GUBITCHEV had arrived in the U. S. in 1946. He was married and lived with his wife in Manhattan. COPLON and GUBITCHEV were with each other for about 1 1/2 hours.

On February 18, 1949, COPLON again was followed by F.B.I. Agents from Washington to New York, and on this occasion, she hurried to 193rd Street and Broadway where she openly met GUBITCHEV, but they only remained with each other about two or three seconds.

On March 4, 1949, COPLON was again followed by F.B.I. Agents to New York, and for a period of about two hours, COPLON and GUBITCHEV

(DO NOT WRITE IN THESE SPACES)

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avoided contact with each other, starting in the vicinity of 193rd Street and Broadway and ending at Third Avenue and 14th Street, where the surveillance was temporarily lost. The two were located about 15 minutes later and placed under arrest.

At all three of the above meetings, both COPLON and GUBITCHEV employed tactics generally followed by individuals attempting to ascertain if they are being followed, and the meetings were under circumstances which made them appear conspiratorial in nature.

COPLON had in her purse the following:

1. A 5 x 8 inch piece of paper which contained in COPLON's handwriting a summary of a FBI memorandum to the Department dated March 3, 1949, and which was concerned with the AMTORG TRADING CORPORATION and its interest in instruments used in connection with the production of atomic energy.

2. Thirty-four 5 x 8 inch "data slips" which contained summaries of information taken from F.B.I. reports dealing with the internal security of the U. S., Communist investigations, investigations pertaining to Soviet espionage, and investigations pertaining to possible espionage by satellite nations.

3. A 1/2 page typewritten paper on which COPLON described her efforts to obtain "top secret" FBI report which dealt with Soviet and Communist espionage in the United States. This paper also set out COPLON's present standing at American University, Washington, D. C.

4. A three page typewritten paper containing the backgrounds of three individuals in Washington, D. C. and in particular COPLON's personal impressions of them.

A complaint was filed against COPLON and GUBITCHEV by SA T. Scott Miller, Jr. on March 5, 1949 with Judge SIMON RIFKIND, U. S. District Judge, Southern District of New York for violation of Sections 371, 793, 794 and 2071, Title 18, U. S. Code.

On March 10, 1949, a Federal Grand Jury sitting in the Southern District of New York returned a True Bill indicting COPLON and GUBITCHEV as follows:

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Count I, which is the conspiratorial count, charged that COPLON and GUBITCHEV on about January 1, 1949 and for some time prior thereto, unlawfully and wilfully and knowingly did combine, conspire, confederate and agree together and with each other and with diverse other persons to the grand jury unknown, to violate the provisions of Sections 793, 794 and 2071, Title 18, U. S. Code and to defraud the U. S. (1) by impairing, impeding, obstructing and hindering the lawful functions of the Department of Justice and the Federal Bureau of Investigation, and (2) of and concerning its right to the honest, conscientious and faithful services of the defendant JUDITH COPLON as an employee of the Department of Justice.

The count further stated as part of the conspiracy, COPLON, an employee of the Department of Justice, for the purpose of obtaining information regarding the national defense and with intent and reason to believe that the information was to be used to the injury of the United States and to the advantage of a foreign nation, would copy, take, make and obtain documents, writings and notes relating to the national defense, to wit, documents, writings and notes containing intelligence reports relating to espionage and counter-espionage activities in the United States.

The count further stated that GUBITCHEV for the purpose of obtaining information respecting the national defense, attempted to receive and obtain the above described documents, knowing that JUDITH COPLON had obtained them contrary to the provisions of the law.

It was a further part of said conspiracy that the defendant JUDITH COPLON, being an employee of the Department of Justice and in such capacity lawfully having possession of, access to, and being intrusted with documents, writings and notes relating to the national defense would wilfully communicate and transmit and attempt to communicate and transmit the same to persons not entitled to receive them.

It was a further part of said conspiracy that the defendant JUDITH COPLON, with intent and reason to believe that the documents would be used to the injury of the United States and to the advantage of a foreign nation, would communicate, deliver and transmit and attempt to do the same to GUBITCHEV, a subject and citizen of the Union of Soviet Socialist Republics, directly and indirectly, documents relating to the national defense.

It was a further part of said conspiracy that the defendant COPLON wilfully and unlawfully removed and concealed, and with intent to do so, take and carry away records, papers and documents filed and deposited in the Department of Justice, and that the defendant VALENTINE A. GUBITCHEV

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would aid, abet, counsel, induce and procure such removal.

The conspiracy count charged the following overt acts:

(1) the meeting of January 14, 1949; (2) the meeting of February 18, 1949; (3) the meeting of March 4, 1949.

Count II: The indictment charged that on March 4, 1949, in the Southern District of New York, JUDITH COPLON, unlawfully had possession of, access to and being intrusted with documents, writings and notes relating to the national defense, to wit, documents, writings and notes containing intelligence reports relating to espionage and counter espionage activities in the United States, did wilfully attempt to communicate and transmit said documents, writings and notes relating to the national defense to VALENTINE A. GUBITCHEV, who was a person not entitled to receive them in violation of Section 793, Title 18, U. S. Code.

Count III: This count charged VALENTINE A. GUBITCHEV with attempting to receive the above described documents in violation of Section 793, Title 18, U. S. Code.

Count IV: Indictment charges COPLON with attempting to deliver the above described documents to GUBITCHEV who was described as a subject and citizen of the Union of Soviet Socialist Republics, at which time COPLON knew that the papers would be used to the injury of the U. S. and to the advantage of a foreign nation.

On March 11, 1949, COPLON was arraigned, at which time she pleaded "not guilty" and her bail was set at \$20,000. She was released on posting a cash bail on the same date.

On January 24, 1950, the trial of COPLON and GUBITCHEV began before Judge SYLVESTER J. EYAN in the U. S. District Court, Southern District of New York.

On March 7, 1950, the jury found COPLON and GUBITCHEV guilty on count 1, COPLON guilty on count 4, not guilty on count 2, and GUBITCHEV guilty on count 3.

On March 9, 1950, Judge EYAN sentenced COPLON to 5 years on count 1 and 15 years on count 4, said sentences to run concurrently, but advised that these sentences will not run concurrently with any other sentences COPLON has previously received. GUBITCHEV was sentenced to 5 years on Count 1 and 10 years on Count 3, the sentences to run consecutively.

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Judge RYAN remanded both COPLON and GUBITCHEV without bail. COPLON's attorneys filed notice of appeal with the U. S. Circuit Court of Appeals, Second Circuit on March 9, 1950, and on March 15, 1950, COPLON was released upon the posting of \$40,000 cash bail, pending appeal.

AGGRAVATING CIRCUMSTANCES

At the time the jury informed Judge RYAN of its verdict, Judge RYAN said in part: "Ladies and Gentlemen of the Jury, I desire to commend you for your conscientious performance of your duties. Your verdict was a just and proper verdict, amply justified by the evidence that was presented in this case, the only verdict that could conscientiously be reached by sane and reasonable persons."

On March 9, 1950, Judge RYAN, before sentencing COPLON, stated in part as follows:

"Your fellow citizens represented by 12 jurors have given their judgment. They have found you guilty of betrayal of them and your country."

"You have brought dishonor upon the name you bear; you have brought disgrace and tragedy upon your family. You have been disloyal to the country which has nourished you, helped you acquire an education and placed in you high trust and confidence."

"Your country looks upon you with sorrow; you have proved yourself an ungrateful daughter. My observation of you during the trial and my knowledge of the facts convince me that the seeds of disloyalty still find root within your breast. This country does not seek vengeance, but you must in justice receive punishment. That punishment must be substantial, not only for your treacherous acts, but as a warning to others of your kind in whom we have placed trust and who work with others outside of our borders who would destroy and take from us our liberties."

"Those liberties have by many been secured on the field of battle at the cost of their lives; those are the liberties which you and others with whom you conspired would take from us."

MITIGATING CIRCUMSTANCES

There are no known mitigating circumstances.

HISTORY OF DEFENDANT

JUDITH COPLON was born May 17, 1921 at Brooklyn, New York. She attended elementary school in Brooklyn from September, 1927 to June, 1935. She attended James Madison High School in Brooklyn from September, 1935 to June, 1939. From September, 1939 to June, 1943, she attended Barnard College and was graduated cum laude with an A. B. Degree majoring in history.

She attended George Washington Law School for seven nights and attended courses at American University, both schools being in Washington, D. C. COPLON has completed all of the requirements for a M. A. Degree with the exception of the writing of a thesis at American University.

COPLON's father, SAMUEL M. COPLON was born March 13, 1880 at Troy, New York, and her mother REBECCA MOROH COPLON was born March 15, 1890 at Albany, New York, and is presently residing at 178 Ocean Parkway, Brooklyn, New York. She has a married brother, BERTRAM G. COPLON, who operates the SAMUEL M. COPLON & SON COMPANY, 1133 Broadway, New York City. He took over this business from his father after the latter's retirement several years ago. BERTRAM COPLON is a manufacturer's representative. He resides with his wife SHIRLEY SEIDMAN at 152 East 89th Street, New York City. They have one small child.

Shortly after graduating from Barnard College, COPLON was employed by the Economic Warfare Section, War Division of the Department of Justice in New York City as an expert junior economist.

On December 20, 1944, COPLON was ordered transferred to the position of analyst in the Foreign Agents' Registration Section of the Department of Justice, Washington, D. C. This transfer was actually effected February 16, 1945.

Up until this time, COPLON had continually resided with her family in Brooklyn, New York. COPLON continued to work for the Department of Justice but in the Foreign Agents' Registration Section until the date of her arrest March 4, 1949. In Washington, she last resided in a single room at Jefferson Hall, McLean Gardens Development, 3685 38th Street, N. W. Prior to that time she resided at 2634 Tunlaw Road, N. W. and 321 Varnum Street, N. W. COPLON is single and has never been married.

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On June 30, 1949 in the District of Columbia, COPLON was found guilty for violating Sections 793 and 2071, Title 18, U. S. Code. She was sentenced July 1, 1949 to a term of 40 months to 10 years on the espionage count of the indictment (Section 793) and 1 to 3 years on the count dealing with the unlawful removal of documents from the Department of Justice (Section 2071). COPLON is presently appealing this conviction and is free on \$20,000 bail pending appeal.

Other than the above conviction, COPLON has no known criminal record,

On June 22, 1949, while COPLON was testifying on her own behalf in the trial in the District of Columbia, she admitted sharing a room with HAROLD SHAPIRO, Department of Justice attorney, in a hotel in Baltimore, Maryland on the night of January 7, 1949 and again in a Philadelphia hotel on the night of January 8, 1949.

The hotel registries of these two hotels were introduced into evidence at the trial, and they reflected that COPLON and HAROLD SHAPIRO had been registered at both hotels as Mr. and Mrs. H. P. SHAPIRO.

During her trial she also admitted having spent New Year's Eve, December 31, 1948 in the apartment of a friend in Washington, D. C. with Mr. SHAPIRO, and that she later spent other nights in Mr. SHAPIRO's apartment in Washington, D. C.

On May 31, 1949, the Government introduced into evidence at COPLON's trial in the District of Columbia the papers found in her purse on the night she was arrested. Among these papers was a biographical sketch of LORRAINE ELKIN SINDERBRAND. COPLON admitted typing this, and in part the sketch read:

"She remembers me as a Communist, and I think she is confused as to whether I am a C, and if so, who I continue to work for the Government or if I've 'sold out'."

NY 65-14932

One copy of this report is being furnished to the Washington Field Office in view of the pending appeal of COPION's conviction there.

F.B.I., New York City

March 22, 1950

157539A

JUDITH COPLON


March 4, 1949

Espionage

3/9/50

Convicted SDNY, 3/7/50 and sentenced 3/9/50 to 15 years for violation Section 794, Title 18, U. S. C. and 5 years for conspiring with VALENTINE A. GUBITCHEV to violate Sections 793, 794 and 2071 of Title 18, U. S. C., sentences to run concurrently.

TSM:KW 65-14932


Edward Scheidt, SAC

65-14932-972

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT NEW YORK

N. Y. FILE NO. 65-14932 KW

REPORT MADE AT NEW YORK	DATE WHEN MADE 3/22/50	PERIOD FOR WHICH MADE 3/15/50	REPORT MADE BY T. SCOTT MILLER, JR.
TITLE JUDITH COPLON; VALENTINE ALEKSEEVICH GUBITCHEV, Was.			CHARACTER OF CASE ESPIONAGE (R)

SYNOPSIS OF FACTS:

On March 7, 1950, a jury in the SDNY found COPLON and GUBITCHEV guilty of conspiring to violate Sections 793, 794 and 2071 of Title 18, USC. COPLON and GUBITCHEV were also found guilty of violating Sections 794 and 793, Title 18, respectively. COPLON found not guilty of violating Section 793, Title 18. On 3/9/50, Judge SYLVESTER RYAN sentenced COPLON to 5 years on the conspiracy count and 15 years on the espionage count, sentences to run concurrently, but not to run concurrent with the Washington sentences. GUBITCHEV received 5 years on conspiracy count and 10 years on the espionage count, sentences to run consecutively. Upon request of State Department, Judge RYAN said that if GUBITCHEV left U. S. within two weeks, execution of the sentence would be suspended. Both remanded without bail. On 3/13/50, OCA set COPLON's bail at \$40,000. COPLON made bail 3/15/50. On 3/15/50, GUBITCHEV's notice of appeal was withdrawn and has to appear before Judge RYAN 3/20/50 to have his sentence suspended. GUBITCHEV to leave U. S. 3/20/50. Parole report enclosed re COPLON. Disposition sheet enclosed re COPLON.

P.

APPROVED AND FORWARDED: <i>R</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES	
		65-14932-973 <i>R</i>	
COPIES OF THIS REPORT 8 Bureau (Enc 4) 1 Washington Field (Info.) (Enc.) 5 New York (2-NY 65-14939)		<i>mat</i>	

NY 65-14932

Details: At New York, New York:

A check of the Criminal Docket of the District Court for the Southern District of New York, Case #129-158, reflects that on November 14, 1949, the case against GUBITCHEV and COPLON was assigned to Judge SYLVESTER J. RYAN. At that time, Judge RYAN began hearing testimony in a pre-trial hearing on motions filed by defendants. COPLON was represented by Attorney ARCHIBALD PALMER.

On December 2, 1949, ABRAHAM POMERANTZ became the attorney of record for GUBITCHEV. The docket also reflects on January 24, 1950, the actual trial of the case began.

On February 17, 1950, COPLON discharged ARCHIBALD PALMER, and Judge RYAN appointed SIDNEY S. BERMAN, SAMUEL A. NEUBURGER and LEONARD B. BOUDIN as attorneys for her.

On March 7, 1950, at 11:45 a.m. the jury returned a verdict as follows: Both defendants guilty on the first count, which was the conspiracy count. COPLON not guilty of the second count which charged violation of Section 793, Title 18, U. S. Code. GUBITCHEV was found guilty on a third count which charged violation of Section 793, Title 18, U. S. Code. COPLON was found guilty on count four which charged violation of Section 794, Title 18, U. S. Code.

The writer was present in court when the jury returned its verdict, and Judge RYAN in part told the jury: "Ladies and Gentlemen of the Jury, I desire to commend you for your conscientious performance of your duties. Your verdict was a just and proper verdict, amply justified by the evidence that was presented in this case, the only verdict that could conscientiously be reached by sane and reasonable persons."

The docket further reflected that on March 9, 1950, Judge RYAN passed sentence on COPLON and GUBITCHEV.

COPLON's sentence was five years on count 1 and 15 years on count 4, said sentences to run concurrently.

GUBITCHEV received five year on count 1 and 10 years on count 3, said sentences to run consecutively.

The writer was in court when these sentences were passed, and before GUBITCHEV was sentenced, U. S. Attorney IRVING SAYPOL read Judge RYAN a letter indicating that the U. S. State Department had requested that GUBITCHEV be deported.

NY 65-14932

Before passing sentence on GUBITCHEV, Judge RYAN in part said, "VALENTINE A. GUBITCHEV, you have been convicted by a verdict of a jury after a fair, impartial and public trial. You have had the protection of the laws of this country and you have enjoyed and had the benefit of privileges afforded to those accused of crime - privileges which are afforded to those accused of crime in few countries of the world.

"Before trial and until conviction, you were at liberty on bail - you have had the services of counsel of your own choosing; throughout the pre-trial hearings, there sat in court with you a representative of the Embassy of your country, and during the trial there sat by your side and your counsel, a representative of your country who was learned in the law. You came here as an emissary of peace; you were accepted among us in the role of a friend; you violated your oath of office to the Secretariat of the United Nations of the world.

"By your own actions, you have been not only false to that oath, but you have betrayed the cause of peace. You stand convicted before the world of betrayal of all human mankind. You, it has been found, here by your acts attempted to destroy the hopes of millions who would avoid war and establish peace among the peoples of the world. And you do that with arrogance and with a smile on your lips and on your face as you stand here before me for sentence and in defiance of all humanity."

After sentencing GUBITCHEV, Judge RYAN stated in view of the request of the State Department he would suspend execution of the sentence provided GUBITCHEV would leave the United States, never to return.

Before Judge RYAN sentenced COPION, he said in part as follows: "Your fellow citizens represented by 12 jurors have given their judgment. They have found you guilty of betrayal of them and your country.

"You have brought dishonor upon the name you bear; you have brought disgrace and tragedy upon your family. You have been disloyal to the country which has nourished you, helped you acquire an education and placed in you high trust and confidence.

"Your country looks upon you with sorrow; you have proved yourself an ungrateful daughter. My observation of you during the trial and my knowledge of the facts convince me that the seeds of disloyalty still find root within your breast. This country does not seek vengeance, but you must in justice receive punishment. That punishment must be substantial, not only for your treacherous acts, but as a warning to others of your kind in whom we have placed trust and who work with others outside

NY 65-14932

"of our borders who would destroy and take from us our liberties.

"Those liberties have by many been secured on the field of battle at the cost of their lives; those are the liberties which you and others with whom you conspired would take from us."

After Judge RYAN had sentenced COPLON, her attorney reminded Judge RYAN that she was under sentence in connection with the Washington trial and wanted to know if the sentence just passed by Judge RYAN would run concurrently with the Washington sentence. Judge RYAN stated that his sentence was not to run concurrently with any other sentence.

Judge RYAN then remanded both defendants without bail and informed the defense attorneys that he would not grant bail.

The docket indicated on March 9, 1950, both COPLON and GUBITCHEV filed notices of appeal. The defense attorneys both filed motions with the U. S. Circuit Court of Appeals of the Second Circuit for fixing bail. On March 13, 1950, COPLON's bail was fixed in the amount of \$40,000.

On March 15, 1950, BERTRAM COPLON appeared at the Office of the Clerk of the District Court with a \$20,000 Government check made out to him which had been a refund of COPLON's \$20,000 bail put up shortly after her arrest. In addition, COPLON had \$20,000 in bills of the following denominations: fifty, one hundred, five hundred and one thousand. The serial numbers on these bills were obtained by SA's Richard E. Brennan, Edwin R. Tully and the writer.

COPLON was released on the posting of this bail shortly after 5 p.m. on March 15, 1950.

At 11:30 a.m., Mr. POMERANTZ and Mr. SAYPOL appeared before Judge RYAN, at which time Mr. POMERANTZ stated that GUBITCHEV had made arrangements to leave the U. S. on March 20, 1950, and that he wanted to accept the grace of the court and have the sentence suspended. POMERANTZ advised Judge RYAN had previously told the Circuit Court of Appeals that GUBITCHEV was not going to leave the country in view of the court's position to do so, GUBITCHEV would have to give up his right of appealing the conviction. POMERANTZ stated that he had made this statement without authority, and that after talking the matter over with GUBITCHEV, the latter indicated he was willing to give up his appeal and would return to Russia on March 20, 1950.

Mr. SAYPOL stated that the conditions were acceptable to the Government, but first POMERANTZ would have to withdraw his motion

NY 65-14932

for fixing bail and his motion of appeal which had been filed with the Circuit Court of Appeals. Mr. SAYPOL further insisted that motions for appeal be withdrawn with prejudice. This was acceptable to Mr. POMERANTZ, and later on March 15, 1950, Mr. SAYPOL advised both motions had been withdrawn by POMERANTZ. It should be pointed out that JURI NOVIKOFF accompanied POMERANTZ at the above hearing. NOVIKOFF is Secretary of the Soviet Embassy, Washington, D. C.

Judge RYAN ordered GUBITCHEV to appear before him at 10 a.m., March 20, 1950 for suspension of his sentence. Judge RYAN has previously indicated that GUBITCHEV will be placed on the boat by U. S. Marshals and will be accompanied as far as Ambrose Light (where the harbor pilot leaves the boat).

Mr. SAYPOL advised that GUBITCHEV's sentence technically was not merely a suspended sentence, but that Judge RYAN had stated that GUBITCHEV could have execution of his sentence suspended provided he left the U. S. Mr. SAYPOL stated that he argued before the Circuit Court of Appeals that there was no appeal from a stay of execution of sentence.

A parole report is being enclosed regarding Subject JUDITH COPLON.

A Disposition Sheet is being enclosed regarding Subject JUDITH COPLON.

Enc. - Bureau (2)

Parole report and Disposition Sheet on Subject COPLON.

Enc. - Washington Field.

One copy of parole report of Subject COPLON.

P E N D I N G

NY 65-14932

LEADS

NEW YORK

Will cover the departure of GUBITCHEV from the U. S. on March 20, 1950, and will submit a disposition sheet when such is done.

Will attempt to trace and ascertain the source of the \$20,000 in cash given by BERTRAM COPLON for JUDITH COPLON's bail.

A copy of this report is being furnished to the Washington Field Office in view of the pending appeal of COPLON's conviction there.

References: Report of SA T. Scott Miller, Jr., New York,
November 4, 1949.

~~MR. SCHULT~~
~~MR. BEL MONT~~
~~MR. ...~~
~~MR. ...~~
Y.
0.
...STESSAT
...IN
...UNIT

Dear Sir:

Copies of these two articles are transmitted herewith.

EDWARD SCHEIDT
SAC

Encls. 2
ES:MT

65-14732-974

DIRECTOR, FBI

March 21, 1950

SAC, MIAMI

REGISTERED MAIL

JUDITH COPLON
ESPIONAGE - R

ATTENTION: FBI LABORATORY

Re report of Special Agent THOMAS A. MENDENHALL dated February 24, 1950, at Washington, D. C.

Enclosed herewith is a Personal History Form executed by ^PCONSTANT J. GREUX which was furnished to an Agent of this Office by C. B. HEWES, 1771 Purdy Avenue, Miami Beach, Florida, who was formerly the Captain of the SS Foundation Aranmore. Mr. HEWES states that the written signature of CONSTANT J. GREUX appearing on this Form was executed by this individual in his presence and that he is fairly certain that all printed ink entries appearing on this Form were likewise prepared by CONSTANT J. GREUX. Mr. HEWES ~~advised~~ that his customary procedure was to have a crew member sign this Form in his presence and then fully complete this Form by printing in the necessary entries. It is to be noted that all pencilled entries were added to this Form by Mr. HEWES.

The Laboratory is requested to compare the handwritten and printed ink specimens appearing on enclosed Form with Specimen Q-114 on file and the handwritten specimen of GREUX CONSTANT previously submitted by the Washington Field Office with regard to this case. Any conclusions reached by this comparison should be furnished the New York Office.

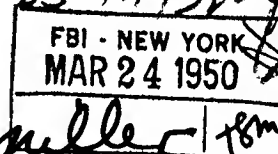
Mr. HEWES has indicated that he has no further use for the enclosed specimen, and it may be retained by the FBI Laboratory if desired.

RWW:rs

65-2325

Enclosure

cc - New York ✓



Searched _____
Serialized _____
Indexed _____
Filed _____

141 Neptune Ave
 Bklyn, N.Y.

FBI

2 yd

Gentlemen,

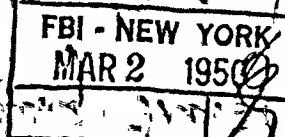
In reference to the Judith Coplon case.

You are a liar trying to cover up your failure to obtain sufficient evidence to back up your rotten claims.

If Miss Coplon was a spy then your department fouled it up by grabbing her before she passed the evidence to Subichew. Or your agent was too stupid to wait and forced the issue. Or else you were tired of waiting for her to pass the evidence and arrested her your like a bunch of vultures waiting for the carrion to fall so you can feast.

The department you represent was formulated men and these men have been replaced by a stupid rats.

I could say more but I don't want to waste time of value on a stupid person.
 Only remember this.



Searched _____
 Serialized _____
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 Filed _____

65-14832-976

If you succeed in sending Miss Coplon to prison
It would give me great pleasure to crack some of your
thick skulls together. In fact if one of your
will meet me warn them not to reveal their
status as an agent of the FBI, because I've got
good american fists I'd like to ram down their
throats)

Sincerely yours

J. Max Schwartz

141 Neptune Ave. Long Beach

P.S. Also tell Judge Sylvester Ryan he had
better give Miss Coplon a fair trial and stop
accusing her of hamstringing the courts.
And if he succeeds in obtaining a conviction
then I'll put him on my rat list with the
rest of you hysterical politicians.

Director, FBI

March 22, 1950

SAC, New York

JUDITH COPLON
ESPIONAGE-R

Enclosed are photostat copies of three letters received by Judge LEIBELL of the District Court, SDNY after he had conducted some preliminary hearings in connection with this case in October, 1948. Also enclosed is a photostat copy of a letter to this office. All were presumably written by MAX SCHWARTZ who resides at 2845 Brighton 6th St., Brooklyn.

The letters to Judge LEIBELL were given to this office by United States Attorney IRVING H. SAYPOL at which time we made a limited inquiry to identify SCHWARTZ, in the event letters containing definite threats should ever be received from him.

It was ascertained that SCHWARTZ owns and operates a small concern located at 141 Neptune Ave., Brooklyn, N.Y. which manufactures ladies' change purses. He is separated from his wife and has no children. Two postal carriers were interviewed who were acquainted with him and both described him as a quiet individual. One postman described him as eccentric because SCHWARTZ was constantly walking back and forth between his business and residence inquiring about his mail.

These letters are for the Bureau's information and no action will be taken by this office unless advised to the contrary.

Enc. 4

TSM:MF
65-14932

65-14932-987

REPORT
of the



FEDERAL BUREAU OF INVESTIGATION
WASHINGTON D. C.

March 28, 1950

To: SAC, Miami

There follows the report of the FBI Laboratory on the examination of evidence received from your office on March 23, 1950.

Re: JUDITH COPLON
ESPIONAGE - R

J. Edgar Hoover
John Edgar Hoover, Director

YOUR FILE NO. 65-2325
FBI FILE NO. 65-38365
LAB. NO. D-114184 ET

Examination requested by: Miami

Reference: Letter dated 3-21-50

Examination requested: Document

Specimens:

K38 A questionnaire bearing the name of a boat as "S/S/ F. ARANMORE" and Miami Base Serial No. 07224379, dated July 5, 1945, containing the purported known handprinting and the known signature of QCONSTANT J. GREUX.

RESULTS OF EXAMINATION:

No conclusion was reached whether the handprinting on the card previously examined in this case, designated as Q114, was prepared by QCONSTANT J. GREUX, whose known handprinting appears on the specimen listed above as K38, because this known handprinting was not sufficiently comparable with the questioned handprinting for an adequate comparison. It is noted that the questioned handprinting on Q114 is in upper case lettering whereas the handprinting on K38 is in lower case.

No conclusion was reached whether the signature "GREUX QCONSTANT" on specimen K37, previously submitted by the Washington Division, was written by QCONSTANT J. GREUX, K38, because of variations which could not be accounted for on the basis of the signatures available for comparison.

Specimen K38 has been retained in the files of the Laboratory

2-New York
2-Washington

Searched
Serialized
Indexed
Filed

65-14732-978
FBI - NEW YORK
MAR 29 1950

T. S. Miller Rm

copy

March 11, '50

J. Edgar Hoover
F.B.I.
Washington, D. C.

Dear Mr. Hoovers:

As a Juror on the Coplon-Gubitchev trial, I had occasion to see many of the F.B.I. men on the stand. They made such a favorable impression on me, as to their alertness, integrity and forthrightness that it seemed to me you must have a wonderful system of selecting and training men so I thought a word of commendation might not be amiss.

Truly yours,

/s/ Owen M. Danielson
Mrs. Carl O. "

65-14932-999

FBI - NEW YORK
MAR 20 1950

65-14932-

March 16, 1950

3
W
9

MR. SCHMIDT	
MR. BELMONT	
MR. WHELAN	
MR. COLLIER	
MR. DEAN	
MR. GALE	
MR. LADD	
MR. NICHOLS	
MR. ROSEN	
MR. TRACY	
MR. HARBO	
MR. MOHR	
MR. WINTERROWD	
CHIEF CLERK	
PROPERTY CLERK	
TRAINING UNIT	

Carl Danielson

65-402 Clip 6-23-46

96-23

Mrs. Carl G. Danielson
611 East 150th Street
New York 32, New York

Dear Mrs. Danielson:

Your letter dated March 11, 1950, has been received, and I wish to express my appreciation for the sentiments which you conveyed.

It is gratifying to know that you approve of the manner in which the FBI is discharging its responsibilities, and I am particularly pleased to have your commendatory references to the caliber of Special Agents of the FBI.

My associates and I are happy to have your expressions of commendation and we earnestly hope that our efforts will always be deserving of your complete confidence.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

CC - New York, with copy of incoming.

FILED
STRIPPED
CON 3/21

Serialized
Indexed
Filed

65-14932-980
FBI - NEW YORK
MAR 20 1950
TS Miller

65-14932-